

no plausible basis for saying that these two gentlemen were not Americans, but I must caution that—that at this point in time, that still remains something that—a belief that I hold on the basis of faith only, not something that I can confirm as fact.

Senator SMITH. I understand your explanation and the reason I am bringing up here is to try to get a perspective on the part of the committee Members on how you analyze and why I cannot accept how you analyze, frankly. Let me just finish.

Mr. DESTATTE. Yes please, because I'm sure—I don't understand the point.

Senator SMITH. I will give you a chance to respond. First, he says he saw three Americans, or he saw three people and he was told they were Americans. Garwood comes out, he is an American. He gave you a lot of information about remains which turns out to be true. So you established that he is a credible witness.

Now, it seems to me the way you were analyzing this and the way you do the analysis—and you tell me where I am wrong, that the only way you are going to get an acceptable analysis, the only way you are going to accept this is if two more people come out and say, I am an American. My name is private so and so, and so and so, and I am out, therefore the mortician was right.

Mr. DESTATTE. One thing I think I've said clearly several times is I accept it. I don't know how else I can say it.

Senator SMITH. Again, I am not trying to pin you on the issue. I am just trying to get an understanding. If you accept it, why do you say there is no evidence? Why is that not evidence? You just told me you accepted the fact that there are two people there that this guy says are Americans. Why then is that not evidence that somebody is left alive in Vietnam in 1989?

Mr. DESTATTE. I understand your point now.

Senator SMITH. I am not trying to trap you. I am just trying to ask you a question. I do not understand your analysis at all.

The CHAIRMAN. Let me see if I can explain what I heard and maybe that will be helpful, maybe it will not be. First of all, let me ascertain for the record, when Garwood came out, did he or did he not say that he saw other Americans, in his debriefings?

Mr. DESTATTE. When he was interviewed by members of the Armed Forces and when he was interviewed by Members of Congress, he said that he had no knowledge of any other Americans.

The CHAIRMAN. That is my understanding. And his testimony changed later in time, correct?

Mr. DESTATTE. And I think I mentioned yesterday that he did tell one family, a next-of-kin family and I have this from the family themselves, that he was aware of some number, I don't recall that he mentioned a specific number, but that some Americans had voluntarily stayed but that he had given them his commitment that he would not reveal their presence.

The CHAIRMAN. Let me try to interpret what I heard and see if Senator Smith differs from that. I heard you say that you accept that this fellow said he saw three people and he was told they were Americans, but that one of those people subsequently you have identified as being Garwood, so you know one of them was an American.

You accept that this person saw three people that he thought were Americans, but you do not accept, as I understand it to a certainty, that the other two were Americans, because he only knew what they might be by virtue of what he was told and not what he knew. So you are still in doubt as to whether the other two are, in fact, Americans. Am I hearing you correctly?

Mr. DESTATTE. Yes. I would use different words, but yes. I believe, as again applying what I would consider common sense, I believe that the other two gentlemen are or were Americans, but yes, I must caution that I need to keep an open mind because I have not confirmed that they are Americans. You know, I still allow the possibility that he could have been misinformed, but I don't think so.

The CHAIRMAN. Let me ask you something then in furtherance of Senator Smith's effort. If you accept that they were and one of them indeed was and you accept he saw two other people and you personally believe it, then do you not, in fact, have something that qualifies as evidence of a couple of Americans being there?

Mr. DESTATTE. Yes sir, right. I think it's—right, but I think it's also important to—

The CHAIRMAN. The minute you say you believe it, you have got a report that is credible.

Mr. DESTATTE. But I'm afraid that we're—there's a danger that what I have said and written in the past may be misinterpreted. In my judgment, there is no credible evidence of any Americans being held against their will. Now these two gentlemen, if the information that we've been given about them is accurate, they are not there against their will and I make that distinction. That's the distinction I'm making. I'm not saying I don't believe that there are any Americans there or were not any Americans there. I make the distinction as to whether they were there against their will or not. I should also add—

The CHAIRMAN. How many people, before you add, how many people do you have evidence of may have stayed behind and be living of their own free will?

Mr. DESTATTE. Sir, I think the province of possibilities is limited to four persons. McKinley Nolan, who reportedly died in Cambodia in about late 1974; Robert Garwood, who returned to the U.S. in early 1979; and the other two gentlemen. However, I'm not confident the other two men, if they were Americans, are still there. As a matter of fact, I think it's likely they are no longer in Vietnam.

Senator SMITH. I think the issue of the sighting is not Garwood. The issue of the sighting is the mortician. The mortician said he saw what he saw and you find him a credible witness and I am just trying to get—you say, well, we have to make that determination as to whether they were Americans. Again, I am not trying to give you a hard time but I am trying to understand what is a determination. Is it when somebody walks out alive? Is that what the final assessment is? I do not understand.

Mr. SYDOW. Well Senator, I'd like to clarify a somewhat tangential point. Your issue was directed to the analysis. The facility that these gentlemen were reported at—and a social environment as I understood it, they came there for parties with the staff officers of the Vietnamese, has been a focus to us for at least 7 years.

We visited that facility very early on to see what was going on there. We have recently had a live sighting investigator go check out the facility. It is no longer what it was reported to be in that 1980 period. It has been a focus to us. We have pursued it. Does that clarify?

Mr. DESTATTE. And I personally pursued it there in a number of different ways. I also visited the location where he made most of sightings of those gentlemen. I spoke with people who worked there during that period of time. I spoke with people that lived there during that period of time. I have spoken with people in the neighborhood. They can add no clarification.

I've spoken with officials at the military hospital where they had been treated. They recall having treated Robert Garwood, but they do not recall having treated any other Americans and, in fact, there were no other Americans treated there since 1975. We pursued it in a number of ways.

I've had informal discussions with Vietnamese officials, our counterparts on it. They insisted—and there again, it's a—I don't want to overgeneralize, but they seem to be—their comments generally fall into the category of there are no longer any Americans here and they seem to be suggesting—they're not ruling—if the mortician was correct and as I've said before, I believe he was correct, what they seem to be saying is they're not here now.

Senator SMITH. But there was one very—and I participated in the deposition of the mortician for the committee, and there is one very dramatic portion of his testimony. What he said was, and I believe I am correct as far as one portion of it, I do not think that Garwood and the other two individuals were sighted together. I do not think he said that, he may have, but I thought he said they were separate sightings.

But the very dramatic thing that he said, the mortician, was that these two individuals, that in the environment that he described them were, quote, according to the Vietnamese, progressive individuals who had been sent from a camp in Yen Bai of other prisoners who had been determined to be progressive and, therefore, after some indoctrination became progressive and then were brought down and given some freedoms and brought to this location. That is a portion of the testimony that is very significant.

Mr. DESTATTE. I've discussed this issue with him several times, most recently, just a few days ago and nowhere has he ever indicated that he had any knowledge of where these fellows were at. Never has he associated those fellows with Yen Bai. What he has told me is that his informants told him that these two gentlemen were working at an air base northwest of Hanoi.

Senator SMITH. Well, I am just saying he told the committee that. I will show you the deposition. He told the committee that. He told me, I was sitting right there when he said it and I just point out for the record, he said it to committee. If he did not say it to you, I will take your word for it.

The CHAIRMAN. Yesterday there was testimony that, Colonel Cole, you were going to provide us with some fresh information on a live sighting report at the Citadel and also another report?

Colonel COLE. Not at the Citadel, sir, just at the ministry of interior, hospital 198, sir.

The CHAIRMAN. Can you share that with us, please?

Colonel COLE. Yes, sir. I can give you just a brief outline. Sir, the report is still—is still coming up through the chain, sir. But basically, this was an advance notice report. General Needham made an impassioned plea to Mr. Le Bang after his refusal to conduct any further live sighting investigations to do this report on a 1-day notice. Saturday morning—last Saturday, we went to the hospital. It's located near the Paper Bridge, southwest of Hanoi, sir.

I'm not sure if you're familiar with the basic facts of the case itself, but it's based on a source who reported seeing Caucasians who he was told were prisoners of war in two time frames. One was September 1981 when the source himself was being treated for malaria at the hospital, and then in April 1985 when he was being treated for adenoids at the same hospital.

The CHAIRMAN. We have the full report as part of the record.

Colonel COLE. Upon arrival at the hospital, sir, we were taken to see the director and the director explained the basic history of the hospital. The hospital was built in 1979. It is used primarily to treat ministry of interior cadre and their families. As you know, the public security service and the border security service are both subagencies to the ministry of interior.

We noticed upon walking into the hospital area, that the border security service had a major compound next door. After further questioning, the director told us that the border security service occasionally brought people over. We asked about the treatment of Caucasians. We brought up the basic facts of the case and if you remember, I'm not sure in your redacted version or not, but the name of the doctor that treated the source on both occasions is mentioned.

To our surprise, the director said, oh yes, this doctor has just come back from 3 years in Bulgaria, where he was undergoing further training. We were able to locate that doctor and ask him additional questions. The basic investigation itself, without boring you with too many details, the source said the first time he was treated was on the fourth floor of the facility in the infectious disease department for malaria. That was in 1981.

In 1985, being treated for adenoids, he said he was being treated in exactly the same area; on both occasions, and in an adjoining room he saw a Caucasian, who he was told were POW's. The doctor in question said, if the man was being treated for adenoids, it would not be in the infectious disease department, it would be in a different section of the hospital. That's basically it, sir. There were also other occasions.

The CHAIRMAN. Did the doctor say anything about any Americans or anybody Caucasian, or anybody foreign being treated?

Colonel COLE. No, sir. He confirmed that East German personnel had been treated at the hospital. They confirmed that there is a Finnish water project which is located near the front gate to the compound that's been in existence about 5½ or 6 years and occasionally a number of Finns who had medical problems would come over. They also volunteered, after numerous questions, that the Japanese monk was treated in this hospital, but that's it, sir. They denied treating any American POW's, as they said since the hospi-

tal was built in 1979, there was only, if you will, East Germans and some Finnish people. That's all I have on that, sir.

The CHAIRMAN. Mr. Johnson, let me ask you a few questions, if I can, about the interagency committee, the panel. Is there a written statement of purpose or procedure for the panel?

Mr. JOHNSON. I'm not aware that there is, sir.

The CHAIRMAN. Is there a DOD regulation that outlines its purpose and function?

Mr. JOHNSON. You'd have to ask Mr. Sheetz.

The CHAIRMAN. Is there, Mr. Sheetz?

Mr. SHEETZ. There is some documentation about the panel. I reviewed it one time, I believe, since I've been in the job, but I can't recall it.

The CHAIRMAN. Who chairs the panel?

Mr. SHEETZ. I chair the panel, but I don't have a vote. I chair the panel.

The CHAIRMAN. Are the proceedings recorded?

Mr. SHEETZ. Yes, sir. We have a briefing book that's—well, you can ask Mr. Johnson the question, but I can explain it. We have a briefing book that we prepare for each panel member that includes original report. It includes the summary of our analysis and it includes our recommendation. And on the front is a—is a sort of a box score for listing each report and the—

The CHAIRMAN. Well now, is the interagency committee sort of the ruling authority or power of this issue? What is the authority of it?

Mr. SHEETZ. Are you speaking of the interagency group that's chaired by Assistant Secretary Ken Quinn, or this review board?

The CHAIRMAN. No, this review board.

Mr. SHEETZ. This review board was created for the express purpose of reviewing the analytic work of DIA on the live prisoner issue and reviewing the recommendations of our analysts. The policy group that Assistant Secretary Ken Quinn chair is the group that oversees the overall U.S. Government effort.

The CHAIRMAN. Is there a difference between the interagency group and the interagency committee?

Mr. SHEETZ. Yes. Yes, there is a difference. The interagency group, commonly called the IAG, is the group chaired by Assistant Secretary Quinn.

The CHAIRMAN. And the interagency committee is chaired by you.

Mr. SHEETZ. And it's primarily an intelligence community organization with some additional representation, whereas, the IAG, chaired by Assistant Secretary Quinn, cuts across all of the departments in the executive branch that have a role.

The CHAIRMAN. Now, the interagency committee, you say they actually go over files?

Mr. SHEETZ. Yes, we do.

The CHAIRMAN. Files of individual cases?

Mr. SHEETZ. Yes, we do.

The CHAIRMAN. And you discuss those cases and files?

Mr. SHEETZ. In great depth.

The CHAIRMAN. Are all the members of this committee given copies of these files to work with?

Mr. SHEETZ. They are.

The CHAIRMAN. Who are the members of this committee?

Mr. SHEETZ. Mr. Johnson represents State intelligence and research. We have a representative from the CIA, from each of the service intelligence agencies, Army, Navy and Air Force. We have a representative from the joint staff who sits in. A representative from Mr. Ptak's office, the Secretary of Defense for POW/MIA.

The CHAIRMAN. How about the National Security Council?

Mr. SHEETZ. No, they do not sit on this board.

The CHAIRMAN. Do they have an observer?

Mr. SHEETZ. Not generally. They do sit at the interagency group though, chaired by Assistant Secretary Quinn.

The CHAIRMAN. Now, do these groups—at this meeting, do decisions have to be unanimous?

Mr. SHEETZ. They do.

The CHAIRMAN. And how many have a vote?

Mr. SHEETZ. Everyone but DIA.

The CHAIRMAN. Everybody but DIA.

Mr. SHEETZ. Correct.

Mr. JOHNSON. I might add, we get the book with the case files and the analysis normally several days before the meeting and we outside members, if you want to call us that, go to the meetings and then there is normally an oral presentation by the analysts and some discussion, a vote, and which is unanimous if it makes a decision, and then we move on.

Senator SMITH. How often do you meet?

Mr. JOHNSON. We meet at the call of the chairman.

Senator SMITH. How often is that?

Mr. JOHNSON. It's every several months.

Mr. SHEETZ. It's typically about every 3 months or so, whenever we've got sufficient cases to review to make it worth our while to call everyone in.

The CHAIRMAN. With respect to the current review process that is on-going, we've been promised since last fall by, I think ranging from Secretary—I don't want to put words in his mouth, but I'm pretty sure that the Secretary through General Christmas and others talked of the review of the 2,266 cases, and specifically trying to come up with a tabulation in short in time now because of the end of the committee, to ascertain the accuracy of the current categorization. When can we expect that to be completed?

Mr. SHEETZ. Well, I believe we've completed at DIA our part of that review.

The CHAIRMAN. So that's in the hands of DOD now?

Mr. SHEETZ. Yes, sir, and that review has basically had two major thrusts, first yet another review, and I would say this is the latest in many such reviews to make sure that all discrepancy cases have been identified, and the reason we need to keep doing that, as we gain more information from our on-the-ground research we have to make sure that in that new information we haven't we presented with an unanswered question.

So identifying last known alive and discrepancy cases is one review, and then another major review we have, we try to make sure that we have the cases properly located as we gain more information, so that when the JTF people go on the ground, that they're

working at the right place, and they can very quickly get to work and they're not wasting time trying to find the locations.

The CHAIRMAN. Now, with respect to the current discrepancy case situation, the 133 or so, General Vessey 135, and our cases sort of joined into that, the Vietnamese have been very cooperative recently, as you've said, Colonel, and also there has been increase in the return of remains, so a number of those discrepancy cases have been resolved by virtue of the return of remains, is that accurate?

Mr. SHEETZ. Yes, sir.

The CHAIRMAN. So we are now dealing—and this is very important from their perspective to understand the real universe that they're being asked to respond to. How many discrepancy cases remain at this point in time that we need to have an answer to?

Mr. SHEETZ. For Vietnam?

The CHAIRMAN. For Vietnam.

Mr. SHEETZ. Approximately 135.

The CHAIRMAN. 135 discrepancy cases—

Mr. SHEETZ. Yes, sir.

The CHAIRMAN. Still remain.

Mr. SHEETZ. Yes, sir.

The CHAIRMAN. I was told a different number the other day, by virtue of 57 remains that had been returned.

Mr. SHEETZ. I believe at this time there are 22 sets of remains that have actually been identified and repatriated to the families and had proper burial, but really, of General Vessey's original 119 cases that were presented in a couple of different segments to the Vietnamese, 61 of those cases have either been resolved through the return of remains or fate has been confirmed through documentary evidence which has been approved by the interagency group, which leaves 58 from the original group of 119 still unresolved.

To that, we and DIA have recommended, and it's been approved by the interagency group, that an additional 77 cases representing mostly last known alive but a few others—a few other discrepancy cases have been added to that. 58 and 77 gets you to 135.

The CHAIRMAN. Well, if you had an original 111—

Mr. SHEETZ. 119.

The CHAIRMAN. 119 was the original. You've add a new 58, correct?

Mr. SHEETZ. No, 77. There were 58 left.

The CHAIRMAN. I understand, but I'm just trying to get what the total number of discrepancies were, then. So you're talking about 196.

Mr. SHEETZ. That's correct.

The CHAIRMAN. Total discrepancies for Vietnam.

Mr. SHEETZ. Yes, sir.

The CHAIRMAN. Now, did they accept that increase?

Mr. SHEETZ. They accept the 135 figure that represents the currently unresolved.

The CHAIRMAN. So currently Vietnam can look to this and say there are 135 cases that we're dealing with.

Mr. SHEETZ. Based on what we know right now.

The CHAIRMAN. And 110 live sighting reports.

Mr. SHEETZ. Yes, sir, but only 92 of those in Vietnam.

The CHAIRMAN. Correct. What is the status with respect to Laos?

Mr. SHEETZ. Well, it's a little bit more complex. DIA has identified 64 discrepancy cases that are in Laos, and 9 that are in Cambodia. Those cases are DIA's recommendation, but they have not yet been approved by the interagency group. I feel certain they will be. They have not taken issue with prior cases we have identified.

The CHAIRMAN. And Cambodia?

Mr. SHEETZ. Nine.

The CHAIRMAN. Nine. So you would agree, would you not, that it's important in terms of the relationship with the Vietnamese, is it not, to seek cooperation, continued cooperation, for them to have an understanding of where we're coming from in terms of these case numbers?

Mr. SHEETZ. Yes, sir.

The CHAIRMAN. Well, my hope is, obviously, that this process, which has been I think a very positive one—I mean, the fact is that in the last year there has been greater forward movement on this issue than there has been in 19 years, and it would be a tragedy if the Vietnamese, 7 months into the existence of this committee, were to suddenly feel their patience exhausted and not complete the task.

It seems to me that we're on the brink of really putting in place a process that has the ability to provide us with the answers that the American people want, and they have, I think, nothing to gain but everything to lose by beginning to shut that door, if that is their choice, and I would hope very much that they would understand the degree to which we understand their cooperation.

They have indeed changed their attitude. A year ago we did not have an office that was permanent in Hanoi. A year ago we did not have people moving through the provinces. A year ago, United States Senators had not visited military bases that hadn't been visited in 20 years. A year ago we didn't have a live sighting report capacity without notice, or even on short notice, and I could go through more things. A year ago we did not have archival access. A year ago we didn't have Vietnamese working on this process.

So huge advances have been made, and they've clearly been made partly because the Vietnamese decided they wanted to do that, they were willing to do that. I would hate to see a misinterpretation of these 133, 135 cases, and the live sighting reports now prevent this process from coming to closure. My sense is that there ought to be an orderly way of setting these out and arriving at them in the next months, and I hope that we can do that.

Let me ask you, Colonel Cole, you've been on the ground there for how long?

Colonel COLE. In this job, sir, since September 1990.

The CHAIRMAN. Since September 1990.

Colonel COLE. Yes, sir.

The CHAIRMAN. And have you now formed some relationships, do you think, with Vietnamese counterparts on this issue?

Colonel COLE. Yes, sir. I think that a Mr. Dung is our chief Public Security Service live sighting counterpart for Major Robinson, and he has been most supportive and most personable, sir.

The CHAIRMAN. Are there Vietnamese counterparts, people you work with, or even people you don't work with on this issue, that

you've gotten to know or that you've gotten to have a good relationship with?

Colonel COLE. I think so, sir. It's a slow process, and it's one that on the live sighting side of it we're really just beginning. Perhaps Bob DeStatte can address more of that on the archival side. I think he's probably built up the best close relationships, but we're just beginning, and we're proceeding in a positive direction, sir.

The CHAIRMAN. What would you say to that, Mr. DeStatte?

Mr. DESTATTE. Yes, sir, I agree. My experience has been the person that I've worked with, directly with most frequently is a senior Colonel in their armed forces. He's the senior military representative in the Vietnamese Office for Seeking Missing Persons. He has given me his assurances that anything that we request through the appropriate channels, he will ensure that we—that everything possible is done to make it happen, and so far we've been successful.

I should add that Mr. Ho Xuan Dich, the Chief of the Vietnam Office for Seeking Missing Persons (VNOSMP), has been very helpful in making the process work. The VNOSMP is located in the Ministry of Foreign Affairs. My role is to work with the Vietnamese to find information in Vietnamese records about unaccounted-for Americans. Most of those records are located within Ministry of Defense organizations and units. However, as I noted earlier, we must work through Mr. Dich in his role as the chief of the VNOSMP to gain access to those Ministry of Defense organizations and units that have the type of information we are searching for.

I find the cooperation is good. I find—there's a Lieutenant Colonel whose name is Pham Teo who has been working this issue for more than 20 years. I found him very helpful and very open. I wish to emphasize, however, that while the Vietnamese I have been working with helped me gain access to specific documents and personalities I have asked for, they seldom volunteer information that is not specifically requested.

The CHAIRMAN. Do you ever get a chance to sort of have a personal kind of conversation about this issue with these folks?

Mr. DESTATTE. Yes, sir, but that is difficult. They have imposed—their system imposes some requirement on contact with foreigners. I should say, some restrictions on contact with foreigners. Two important points in that regard, they are not permitted to have us into their homes. That's a restriction that they follow very carefully.

And two, when we travel, they're required to have representatives of at least two of the three ministries that are represented in the Vietnam Office for Seeking Missing Persons travel or accompany us, except under unusual circumstances, so it's always a three-person conversation.

The CHAIRMAN. Have you ever had anybody make any overture to you, any of you, in any way, in any of your contacts in any of these countries that you were capable of following up on with respect to the delivery of a POW in exchange for money, or some kind of deal with our country? Mr. Sheetz.

Mr. SHEETZ. None.

Mr. DESTATTE. No, sir.

Colonel COLE. No, sir.

Mr. SYDOW. No, sir.

The CHAIRMAN. Mr. Gray.

Mr. GRAY. No, sir, none.

The CHAIRMAN. So on no occasion in all of these years do you have any records whatsoever pertaining to an offer to give us POW's in return for aid or money or anything? None of you have seen that or know of that?

Colonel COLE. No, sir.

The CHAIRMAN. And none of you personally have had anybody hint to you that if only the U.S. did this or this, they could get somebody back, anybody?

Mr. SHEETZ. No, sir.

Mr. DESTATTE. No, sir.

Colonel COLE. No, sir.

The CHAIRMAN. Do you have any other questions?

Senator SMITH. No, I don't have any further questions.

I might just state for the record, although this hearing is not related to Garwood, his name appeared numerous times throughout the 2 days. Many of the characterizations of Garwood are hotly disputed. Some of those characterizations are hotly disputed by me, and I've spent the past 8 years talking with Garwood and talking with people who were involved in his incident. We deposed him here in the committee.

I'm not going to get into debating that, but I think just one clarification, and that is that as far as what he said in 1979, Garwood did say in 1979 that he saw five Americans. He made that comment publicly and he also made it privately, and as you know it was because he was charged with desertion, which he did not do and it was proven that he did not do, he did not get into that, that area.

He was advised by counsel not to discuss it further, but he did say he saw live Americans on a couple of occasions.

The CHAIRMAN. At what point in time?

Senator SMITH. Oh, he said it in 1979, when he came out.

The CHAIRMAN. When he came out?

Senator SMITH. Yes, and then he said it again in the

Wall Street Journal article. He also did advise counsel to that effect, and was advised not to discuss it further because of the charges against him.

I think also, it's also important to point out that as most of the gentlemen sitting there know, not to take any credit for anything, but I played I think a major role in getting Mr. Garwood deposed by the DIA.

Some of these people precede you here, but it was not a high priority to depose Robert Garwood and found out what he knew about (a) the prison system, or (b) POW's, and I think that lends a great deal of support to some of the charges that General Tighe and others made about the agency, but I hope that we will be able to get back on that subject at some point, Mr. Chairman, before we're finished.

The CHAIRMAN. Did any of you want to respond?

Senator SMITH. I just have one final point I want to make—excuse me. One final thing before you respond.

In 1986, in his report, it's very interesting, because of the comments that were made by Garwood, Gaines recommended that Garwood be hired as a consultant by the DIA. I find it somewhat inconsistent to knock a guy around who has had so much valuable information that Colonel Gaines would recommend him being hired as a consultant. I think it was a good recommendation. You should have taken it.

The CHAIRMAN. Mr. Sydow, I see you waiting to respond.

Mr. SYDOW. I have two simple responses. When Mr. Garwood came out in 1979, he stated in front of at least four witnesses, possibly five, that he did not have any first-hand knowledge of POW's after 1970. That covers the people that he knew to be in his prison camp in the South.

Secondly, DIA pursued an interview with Mr. Garwood while he was going through the courts on his trial, which convicted him of collaboration, and was only able to talk to him 2 days after the Supreme Court refused him review.

Mr. DESTATTE. I don't want to speak authoritatively for Colonel Gaines, but my recollection of the recommendation that you've just cited, we were casting around for some way to persuade Robert Garwood to be cooperative with us, to share whatever knowledge he might have, and I believe, as I recall the conversations that went on at the time, Colonel Gaines thought well, perhaps Bobby Garwood's primary motivation is money, so perhaps if we offer him money in the guise of a consultancy, perhaps he would be cooperative.

Mr. SHEETZ. And indeed, Colonel Gaines became the head of the office shortly after filing his report, which has been declassified and released. He was the head of the office for almost a year, and had he wanted to hire Robert Garwood, I'm sure he could have.

The CHAIRMAN. Well, I've been always fascinated by the case. I must say to you that this is off the point. We're about to end the hearing, and I do want to end it, but I ask you very quickly, I have always been puzzled by the notion that he was listed as a deserter, given the fact that a couple of people were killed by him in the course of an ambush, and the Vietnamese admit that they were killed.

Mr. DESTATTE. No, sir, that's not at all correct. The people that I spoke with in Vietnam scoff at the idea that Robert Garwood even fired his weapon. Robert Garwood, whether he went out purposefully to go over to the other side, or whether he inadvertently found himself in a circumstance where he had no alternative, I haven't sorted that out to my satisfaction, but the Vietnamese whom I speak to—

The CHAIRMAN. So you're saying there was no fire fight?

Mr. DESTATTE. That's correct.

The CHAIRMAN. Did you ever examine the bullet wound in his arm and ask him where he got it?

Mr. DESTATTE. Well, I know there are a number of stories about how he got it. One of the stories is that it's a result of a wound that he suffered while he was en route up the Ho Chi Minh Trail as a result of an American bomb. We have only Robert Garwood's word for the actual origin of that wound.

The CHAIRMAN. So there is no evidence—we don't want to make this a long thing, but I just wanted to inquire about that one fact, because I had heard conflicting testimony on it. Somebody asserted that there was a shooting and a couple of Viet Cong were killed at the place of the ambush. Is that not accurate?

Mr. DESTATTE. To the best of my knowledge, the only person who has made that assertion is Robert Garwood himself. The Vietnamese with whom I speak, who should be in a position to know, tell me that there was no such activity.

Now, I am not prepared to make a judgment which of the two sources—Robert Garwood or the Vietnamese sources that I speak to—are being most accurate on that. I'm simply telling you there is a divergence of views.

Senator SMITH. I know you want to wrap up. I just want to say again, using this as an example, what you just said, Mr. DeStatte, about what Colonel Gaines said in that report—and it is a matter of public record, and I encourage anybody who's suspicious of what I'm saying to read the document. It speaks for itself. There's absolutely no mention whatsoever of Robert Garwood needing any money, nor has he ever asked for a nickel except to travel when he came to testify or talk with the DIA.

As a matter of fact, what Colonel Gaines did say in the record, in the document, and I think you know that he said it, was that Garwood was a very valuable resource because he was an American and he knew the prison system, and he would be a very valuable resource. There's not a word in there about money. If Colonel Gaines felt that way, he didn't write it in the report.

Mr. SHEETZ. If he wanted to hire him, he could.

Mr. DESTATTE. That's the point I wanted to make. What I was referring to were conversations that I was a party to at the time.

The CHAIRMAN. Incidentally, I don't mean to—I understood you to say that there were conversations in which they said, maybe he needs money, and there was a discussion in that context of offering him the consultancy, which is in keeping with what is in the report, that he be offered a consultancy. I'm not sure we're on different wavelengths here.

Senator SMITH. Well, I'm sure he needs money. The guy lost 14 years of back pay doing a lot less than many people who came back did, and I think it's an outrage, but that's another subject.

Mr. DESTATTE. This is a point that I think is very important. We talked about what was done to Robert Garwood. I would like to remind all who are listening that Bobby Garwood was convicted by the testimony of the survivors from that camp, not by anyone else. It is the survivors of that camp that suggested—that volunteered to subject themselves to the rather grueling experience of going to court to testify against him. It is they who did it, and they were not in the military. Most of them were out of the military at that point.

Senator SMITH. And many of those people, Mr. DeStatte, have recanted, and in one case the person has testified to this committee that he was intimidated by the U.S. Government, so this story is long from written, and I encourage you to be cautious with the comments you make.

The CHAIRMAN. If I may suggest, this is the source of a select committee's investigation in its own right, and I'm not sure this select committee will have the time or the ability at this point to get to that, but it is a subject that raises a lot of questions, everybody knows that.

This is not the time or place for us to go to great length on it, but I think the last 2 days have been very helpful. They don't close out the process. They don't shut the door on further inquiry with respect to live sighting reports and our ability to draw conclusions.

On the other hand, it has been extremely helpful in shedding light on the process, on the nature of the issues raised by these live sighting reports, on the great difficulty in drawing conclusions based on the face sheet of a piece of paper without understanding an awful lot more about the region, the area, other intelligence, other debriefings, photographs, a huge amount of information that has to be factored into interpreting one of those sheets.

I think it shows some areas of concern in terms of process. I think you're aware of that. Much of this was old, going back in time, and in fairness your agency wasn't exactly at the top of the funding line, nor the personnel line, for much of that period when much of this information was at its freshest, and I think people need to keep that in mind, and that's something we will be exploring in subsequent portions of this, is the 1970's history here, but this is very helpful.

Mr. Sheetz, you mentioned in your statement the amount of time that your agency has put to this. Obviously, we regret that but we are not, frankly, overly persuaded that it should be anything but the way it is.

Mr. SHEETZ. And I was not suggesting that it needs to be any different. I was just pointing out.

The CHAIRMAN. Fair enough. I understand it is cumbersome. But I would respectfully suggest that the entire process is enhanced by that time and by this inquiry. And your directives to those who are in Vietnam will be a hell of a lot sharper for this process, and possibly more rapidly acted on and designed with greater intensity than they might have been otherwise.

And I think in terms of the goal that we all share, which is learning whether or not someone is there held against their will or whether we can get somebody back, this process is enhanced by this kind of public tug of war on these kinds of issues, which have been cloaked in secrecy for so long. I have tried to, you know, be the devil's advocate and ask a lot of questions about it. I reserve judgment on some parts of it, and I think I need more answers, frankly, for some parts of it.

And we are going to have to work together in the next couple of months to enable this committee to properly draw some conclusions about it. Now that will require some more time; I recognize that. But it would be just as much of a tragedy as if Vietnam were to, you know, exhaust its patience now with this crucible, if you were to exhaust your patience or the process somehow broke down here.

Let us get this done, and I think we are well down the pathway of understanding differences that have led to different conclusions and questions. And we need to work together to try to iron those

out piece by piece, so that our report can reflect different positions if they are different, or joint conclusions if we have arrived at them in that way.

And I hope you feel that this has been a fair process in trying to do that. And my sense is it has been very positive for the committee—long, but positive. On that note, I want to thank you and look forward to working with you in the next months.

We do need these prioritizations of the live sighting reports for the current dates, the most recent vintage obviously, as soon as—I think it is just helpful. I think if you leave live sightings out there that are current, to whatever degree your seriousness in pursuing this is questioned, it is only more questioned if the most current vintage is somehow languishing.

So I think, however, that does not mean you should send silliness out there, where you have legitimate reasons to have resolved something for obvious intelligence reasons and does not deserve it, make that conclusion and share it with us and help us to understand it, and we will stand up with you and jointly concur.

Mr. SHEETZ. I appreciate the Senator's view. I think it makes a lot of sense and I would be pleased to work with you on that.

The CHAIRMAN. Thank you very much. On that note, we stand adjourned until next Tuesday. I think next Tuesday we are being booted out of this room because there is another hearing in here that had prior lock on this space. So we are going to be over in the caucus room of the Russell Building for the hearing on Tuesday with Mr. Perot and others.

Thank you very much. We stand adjourned.

[Whereupon, at 6:10 p.m., the hearing adjourned.]

## APPENDIX

## ADDITIONAL MATERIAL REQUESTED BY THE VICE CHAIRMAN

## MEMORANDUM FOR THE CHAIRMAN OF THE SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS

October 1, 1992.

From: Mr. Robert J. DeStatte, DIA Special Office for POW/MIA Affairs.  
 Subject: Response to Follow-up Questions Received from the Vice-Chairman Regarding Testimony Before the Committee on 5 August 1992.

Reference the Vice-Chairman's 2 September 1992 letter, SAB.

Reference letter transmitted a list 18 follow up questions posed by the Vice-Chairman concerning my testimony before the Select Committee on POW/MIA Affairs.

Please find enclosed my responses to the Vice-Chairman's questions, which he explained are in addition to the questions the Chairman and Vice-Chairman posed to me in a separate letter dated 31 August 1992.

Although the Vice-Chairman asked that I submit my response directly to him, I am addressing this response to the Chairman because it is my understanding that my agency's policy is to communicate with the Committee through the agreed upon legislative liaison channels.

I respectfully request that the Chairman pass the enclosed responses to the Vice-Chairman and other members of the Committee. Also, I respectfully request that the Vice-Chairman's questions and my responses be entered into the record of the testimony before the Committee on 5 August 1992.

ROBERT J. DESTATTE,  
 Senior Intelligence Officer.

## QUESTIONS FOR THE RECORD FOR MR. ROBERT DESTATTE

The following answers quote extensively from documents the Committee has already received from the Defense Intelligence Agency's Special Office for Prisoners of War and Missing In Action, the Joint Casualty Resolution Center, and the Air Force Military Personnel Center. I believe the Vice-Chairman and members of his staff reviewed these documents when they conducted their research of this case.

1. p. 104. Please provide a copy of Mr. Mooney's correspondence in which he states that the single report, consisting of a single sentence, was the sole source of information upon which the whole exercise was based. If such correspondence does not exist, please explain why you made this statement to the committee.

Mr. DeStatte. The piece of correspondence I referred to in my oral testimony was Mr. Mooney's 2 May 1973 message. I believe the Committee already has the complete classified text of that message in its files in the Senate Security Office. In his prepared statement for the hearing on 5 August 1992, the Vice-Chairman said he had conducted a careful analysis of this document. I am surprised the Vice-Chairman would question its existence. I am submitting herewith a copy of the declassified text of the 2 May 1973 message to substantiate my testimony.

It might be helpful to restate the facts as I understand them, because, as the Committee knows, the Vice-Chairman's last minute request to discuss this complex case allowed very little time to review the record and refresh my memory prior to giving oral testimony.

My oral testimony, in its full context, was that a single item of information collected early on 5 February 1973 formed the sole basis for three messages on which we have focused our discussions: two different translations of that single item issued in separate reports, both dated 5 February 1973; and one message authored by Mr. Mooney, dated 2 May 1973.

My oral testimony was that each translation of the single item was reported as a single sentence in each of the two separate reports on 5 February.

I also stated that this single item of information, in its two forms (or translations), was the sole source of information from which Mr. Mooney developed his 2 May 1973 message—the message which is the basis for the controversy about the fate of the Baron 52 crew.

Finally, I stated Mr. Mooney's own correspondence confirmed that the single item of information collected on 5 February 1973 was the only item of information upon which he based his 2 May 1973 message. These are the documents the Vice-Chairman described in his prepared statement as, "sensitive intercepts", and messages, "in which a Vietnamese . . . unit reported . . .". The correspondence I had in mind

when I gave my oral testimony was the introductory paragraph of Mr. Mooney's 2 May 1973 message.

In the introduction to his 2 May 1973 message Mr. Mooney said he had: "reviewed all available information concerning the four fliers mentioned in the 5 Feb message and no additional reflections or amplifying information concerning the disposition of the fliers were revealed. For your information and consideration the following is a recap of the intercept and some observations concerning this subject."

I invite the Vice-Chairman's attention to the fact that Mr. Mooney used the singular case when he referred to: "the 5 Feb message" and "the intercept".

2. p. 111. Please provide the names of the analysts referred to and copies of the reports they prepared (regarding speculation about the flight path of Baron 52 and the possibility some crew members might have parachuted some 65 nautical miles north of the crash site). Additionally, please indicate whether you personally have had any discussions concerning this subject with the analysts you referred to during your testimony.

Mr. DeStatte. Mr. Mooney's 2 May 1973 message (paragraph 4) documented the speculation about the flight path of Baron 52 and the possibility that some crew members might have parachuted some 65 nautical miles north of the crash site. The Committee already has the complete classified text of this message. In his prepared statement on 5 August 1992, the Vice-Chairman said he had conducted a careful analysis of this document. The declassified text of Mr. Mooney's message, submitted herewith, substantiates my testimony.

I did not interview Mr. Mooney.

The speculation about Baron 52's flight path is relevant because it illustrates the pattern of speculation in Mr. Mooney's analysis.

During September-December 1986, I held discussions with several National Security Agency (NSA) and Air Force Security Command experts who were familiar with 1973-era activities relevant to the analysis of the messages in question. In 1986, responsible officials of the Air Force Security Command identified a small number of documents that helped shed light on the speculative nature of Mr. Mooney's message of 2 May 1973. The documents were internal NSA and Air Force Security Service documents; not reports.

The documents and my notes touch on sensitive sources and methods for which the NSA and the Air Force Security Command are the authorized releasing authorities. The Committee asked that I limit my testimony to unclassified information.

When I researched this case in 1986, responsible officials of the NSA and the Air Force Security Command made their personnel and documents available to me with the caveat that they would retain control over dissemination of information developed from them, including my notes. If responsible officials of those agencies agree, I will be happy to make the documents and my notes available for review by properly cleared members of the Committee and staff in a secure setting.

3. p. 112. Please provide specific information from these missions which will confirm your statement to the Committee that there were no indications that the aircraft had attempted to crash landing.

Mr. DeStatte. An after action report, dated 9 February 1973, signed by the commander of Rescue and Recovery Mission 012, the 9 February 1973 mission to recover remains from the wreckage of Baron 52, stated: "JG [Jolly Green] 60 lowered 3 PJ's [parajumpers] plus a technician to the crashed aircraft to recover bodies and get positive identification on the aircraft. The aircraft appeared to have crashed nearly vertically and upside down."

I believe we have already supplied the Committee a copy of this 9 February 1973 report, and that it was among the documents the Vice-Chairman and his staff examined during their careful research of this case. I herewith submit a copy of this report to substantiate my testimony.

Another document, a letter dated 9 March 1973, addressed to the next of kin of a crewmember of Baron 52 and signed by the Commander of the 8th Tactical Fighter Wing, noted: "The aircraft had impacted upside down and there were no skid marks."

I believe this 9 March 1973 letter was among the documents the Vice-Chairman and his staff examined during their careful research of this case. I herewith submit a copy of this letter to substantiate my testimony.

Another document, a Memorandum for Record stated 28 June 1973, prepared by a specialist in the Joint Casualty Resolution Center based on separate interviews with three members of Rescue and Recovery Mission 012 of 9 February 1973, noted: "The aircraft appeared to have crashed nearly vertically and upside down."

I believe this 28 June 1973 memorandum was among the documents the Vice-Chairman and his staff examined during their careful research of this case. I herewith submit a copy of this memorandum to substantiate my testimony.

Another document, a letter dated 7 April 1973, addressed to the next of kin of a crewmember of Baron 52 and signed by the Commander of the 8th Tactical Fighter Wing noted: "... it is a reasonable assumption that the cause of the mishap must have been of a catastrophic nature. It was probably a direct hit from antiaircraft fire which immediately started a fire in the aircraft thus precluding the initiation of emergency procedures. Assuming this to be the case, the crew would not have had time to retrieve survival equipment, don it, and exit the aircraft safely. ... Since the crew had transmitted a report that ground fire was observed five minutes prior to the last contact, and the loss of the aircraft appears to be instantaneous, it can be logically assumed that the aircraft was hit by ground fire and erupted into intense fire as a result of the remaining fuel supply."

I believe this 7 April 1973 letter was among the documents the Vice-Chairman and his staff examined during their careful research of this case. I herewith submit a copy of this letter to substantiate my testimony.

Also, on 5 November 1986 I interviewed the person who was Operations Officer of Detachment 3, 6994th Security Squadron when Baron 52 went down. The electronics technicians on Baron 52 were members of the 6994th Security Squadron. The former Operations Officer recalled he had studied aerial photographs of the wreckage in February 1973. He recalled the aircraft appeared to have impacted near a peak about 400 meters from the main wreckage, bounced, landed upside down, and burned. His description is corroborated by the photographs of the wreckage I submitted to the Committee on 5 August 1992.

In 1973, the persons directly involved in the events surrounding the loss of Baron 52 and its crew left for us a record of photographs and written statements prepared while the events were fresh in their minds. Those photographs and statements provide clear and compelling evidence that Baron 52 suffered a mishap that caused the aircraft to plunge to the ground in a near vertical trajectory and prevented the crew from issuing a distress signal or attempting to parachute from the aircraft. Mr. Mooney's faulty analysis can not change the facts.

It is unfortunate Mr. Mooney's analysis did not receive closer examination 1973. It is unfortunate his faulty conclusions went unquestioned for more than a decade. But the facts are clear. Our duty is clear. We must ensure the facts are heard. We must stand firm against misinterpretations of the facts.

4. p. 114. Please provide the names of the SAR team members who reached this conclusion, and the SAR Team report which states the conclusion described by you during your testimony.

Mr. DeSTATTE. I believe much of this information was recorded in the documents the Vice-Chairman and his staff examined when they researched this case. The members of the SAR team were:

Major Robert D. Furnam, Commander of Rescue and Recovery Mission 012 of 9 February 1973 and pilot of SAR helicopter Jolly Green 60; he remained airborne.  
1LT Steven H. Van Jepmond, Crew member of Maj. Furnam's Jolly Green 60; he remained airborne.

SSGT Robert B. Johnson, Crew member of Jolly Green 60. One of the para-jumpers who was on the ground at crash site.

TSGT Harwell P. Quillian Jr, Parajumper and crew member of Jolly Green 60; he and Schofield searched wreckage and recovered partial remains of one co-pilot.

Ronald L. Schofield, Radio Technician from 6994th; aboard Jolly Green 60; accompanied 3 parajumpers on ground.

SSGT Cayetano, Pina, Crew member of Jolly Green 60. (Cayetano or Williamson was the third parajumper on the ground.)

SGT Dennis C. Williamson, Crew member Jolly Green 60. (Williamson or Cayetano was the third parajumper on the ground.)

SGT Melvin A. Baumgardner, USAF photographer and crew member of Jolly Green 60, he remained airborne.

Additionally, the following six USAF officers and non-commissioned officers were aboard a second helicopter, Jolly Green 71, that took part in Rescue and Recovery Mission 012 on 9 February 1973. None of these men were lowered to the ground at the crash site: Captain Richard D. Shapiro, 1LT Jason H. Houk, SSGT Ronald A. Cross, TSGT Charles F. Salome, SGT Ralph R. Moreno, and SST Codey L. Johnson.

The after action report for Rescue and Recovery Mission 012 noted: "The PJ's [parajumpers] recovered the upper portion of one body and positively determined that all crewmembers had perished." The after action report for this mission was

dated 9 February 1973 and was signed by Major Furnam and Captain Shapiro. I herewith submit a copy of this report to substantiate my testimony.

Also, a Memorandum for Record, dated 28 June 1973, prepared by a specialist in the Joint Casualty Resolution Center based on separate interviews with three members of Rescue and Recovery Mission 012 of 9 February 1973, noted: "It did not appear that the crew of Baron 52 were preparing to bail out when the plane crashed. It is the opinion of the pararescue man [SSGT Johnson] that all the crew died in the crash and fire."

I herewith submit a copy of that memorandum to substantiate my testimony.

Also, a letter dated 23 March 1973, from the Office of the Secretary of the Air Force to Congressman Widnall, in reply to an inquiry on behalf of the next of kin of one of the crewmembers of Baron 52, stated: "The information made available to his commander by members of the search team conclusively established that their son could not have survived the incident."

I believe the Air Force Military Personnel Center already supplied the Committee the complete text of that 23 March 1973 memorandum. I herewith submit a copy of that memorandum to substantiate my testimony.

I also spoke with Major Furnam and former Sergeant Baumgardner by telephone on 11 November 1986. During those conversations, Major Furnam and Sergeant Baumgardner reaffirmed their earlier judgement that there were no survivors of Baron 52.

I also spoke with CMSGT Schofield by telephone on 13 November 1986. During that conversation CMSGT Schofield confirmed that after inspecting the crash site on 9 February 1973 he and the others who participated in Rescue and Recovery Mission 012 unanimously agreed there were no survivors of Baron 52. However, he recalled, he subsequently saw information received from headquarters NSA that he thought confirmed four crewmembers of Baron 52 survived.

He recalled that because he had strong faith in the quality of information received from NSA, he began to doubt his earlier judgment that was based on his personal search of the wreckage. He then tried to reconcile his personal observations with the information he thought NSA had collected. Eventually, the fact that he had not found the cargo door in the wreckage became, to him, evidence that some of the crew could have bailed out of the aircraft.

The record, however, confirms that the tail section of the aircraft was located nearly 400 meters from the main wreckage. Both wing tips were broken off and located some distance from the aircraft. Other parts of the aircraft were strewn about the area and between the main wreckage and the tail section. The four-man search and rescue team was on the ground for a total of 40 minutes. They were not able to search beyond the immediate area of the main wreckage. It is not surprising they did not find the cargo door.

In the end, CMSGT Schofield rejected his initial judgement in favor of what he believed was detailed information NSA had collected and reliably reported. As we know today, CMSGT Schofield's initial judgement was correct. The information he and others placed so much faith in was merely Jerry Mooney's faulty analysis of a one-sentence piece of information collected on 5 February 1973. That information had no relationship to the Baron 52 incident.

5. p. 116. Again, please identify those portions of the SAR reports, or any interviews you had with members of the SAR team, which back up your statement to the Committee regarding the absence of skid marks and indications that the aircraft plunged nearly vertically to earth.

Mr. DeSTATTE. I repeat my answer to your question number 3, above.

A letter, dated 9 March 1973, addressed to the next of kin of a crewmember of Baron 52 and signed by the Commander of the 8th Tactical Fighter Wing, noted: "The aircraft had impacted upside down and there were no skid marks."

I believe the Air Force Military Personnel Center already supplied the Committee the complete text of that letter and the Vice-Chairman and his staff examined it during their careful research of this case. I herewith submit a copy of this letter to substantiate my testimony.

Additionally, an after action report dated 9 February 1973, signed by the commander of Rescue and Recovery Mission 012, the 9 February 1973 mission to search and recover remains from the wreckage of Baron 52, stated: "JG [Jolly Green] 60 lowered 3 PJ's [parajumpers] plus a technician to the crashed aircraft to recover bodies and get positive identification on the aircraft. The aircraft appeared to have crashed nearly vertically and upside down."

I believe the Vice-Chairman and his staff examined this document when they searched this case. I herewith submit a copy of this report to substantiate my testimony.

Another document, a Memorandum for Record dated 28 June 1973, prepared by a specialist in the Joint Casualty Resolution Center based on separate interviews with three members of Rescue and Recovery Mission 012 of 9 February 1973, noted: "The aircraft appeared to have crashed nearly vertically and upside down."

I believe the Air Force Military Personnel Center already supplied the Committee the complete text of that memorandum and the Vice-Chairman and his staff examined it during their careful research of this case. I herewith submit a copy of this memorandum to substantiate my testimony.

Also, a letter dated 7 April 1973, the Commander of the 8th Tactical Fighter Wing sent to the next of kin of a crewmember of Baron 52 noted: ". . . it is a reasonable assumption that the cause of the mishap must have been of a catastrophic nature. It was probably a direct hit from antiaircraft fire which immediately started a fire in the aircraft thus precluding the initiation of emergency procedures. Assuming that to be the case, the crew would not have had time to retrieve survival equipment, don it, and exit the aircraft safely. . . . Since the crew had transmitted a report that ground fire was observed five minutes prior to the last contact, and the loss of the aircraft appears to be instantaneous, it can be logically assumed that the aircraft was hit by ground fire and erupted into intense fire as a result of the remaining fuel supply."

I believe the Air Force Military Personnel Center already supplied the Committee the complete text of that letter and the Vice-Chairman and his staff examined it during their careful research of this case. I herewith submit a copy of this letter to substantiate my testimony.

Also, on 5 November 1986 I interviewed the person who was Operations Officer of Detachment 3, 6994th Security Squadron when Baron 52 went down. The electronics technicians on Baron 52 were members of the 6994th Security Squadron. The former Operations Officer recalled he studied aerial photographs of the wreckage in February 1973. He recalled the aircraft appeared to have impacted near a peak about 400 meters from the main wreckage, bounced, landed upside down, and burned. His description is corroborated by the photographs of the wreckage I submitted to the Committee on 5 August 1992.

6. p. 117. Please provide a copy of the wing commander's statement referred to, as well as a copy of the 20 February 1973 request from the father of one of the crew members to the Air Force.

Mr. DESTATTE. I submit herewith a copy of a 13 February 1973 letter from Colonel Humphries, the Commander of the unit that flew Baron 52, to the next of kin of one of the crew members. One sentence of that letter, written eight days after Baron 52 went down, read: After careful consideration I feel that there is a possibility that one or more crew members could have parachuted to safety, therefore your son will continue to be carried in a missing status until a final determination can be made."

Also, I submit herewith a copy of a memorandum prepared by the Duty Officer of the USAF Casualty Office, of the Air Force Military Personnel Center (USAFMPC), documenting that the father of Sergeant Joseph A. Matejov telephoned the USAFMPC Casualty Office at 1830 hours on 20 February 1973 and requested clarification of Colonel Humphries's 13 February letter. The memorandum also documented the USAFMPC Casualty Office's follow up action to obtain the requested clarification. According to the memorandum: "[Mr. Matejov] was concerned about a sentence in the search termination letter he had received. The sentence . . . that one or more crewmembers may have parachuted to safety . . . indicates that possibly not all seven [sic] ejected. He questioned this since the remains recovered were identified as only one crew member and, if so, all seven must have gotten out. I explained to him that this was not necessarily true since the severity of the crash, possible explosion upon impact, or a bad fire could have made recovery of other remains impossible. Mr. Matejov did not want to accept this and asked that I request the commander to elaborate on the above quoted statement."

The memorandum notes that the USAFMPC Casualty Office dispatched a message requesting clarification of the search termination letter at about 1200 hours on 21 February 1973.

Also, I submit herewith a copy of a 21 February 1973 message from the Air Force Military Personnel Center (USAFMPC) to the field commander. The message noted, casualty reports indicated it was doubtful any crewmembers survived the crash of Baron 52. However, the message continued, the commander stated in letters to the next of kin that there is a possibility that one or more crew members could have

parachuted to safety. The USAFMPC message then stated: "The father of one of the missing men has contacted this office and requested we determine what this [the commander's statement] was based upon."

The message also summarized some information about the incident and noted that, "in keeping with Air Force policy of providing next of kin all known information" the USAFMPC has advised the next of kin that there were three of four remains at the crash site. The USAFMPC message then issued the following instructions to the field command: "Request the Commander carefully evaluate all known information pertaining to this incident to determine if submission of death reports may be appropriate. If status change is not made, request we be provided more complete information on what was seen at crash site and what efforts are being made to re-enter crash site area to obtain further information on which to base a status change."

I understand the Committee has received complete copies of the files maintained by the USAFMPC concerning the crew members of Baron 52. Each of the three documents cited above should be in those files, which are in the Committee's possession and which the Vice-Chairman and his staff undoubtedly reviewed during their careful research of this case.

7. p. 119. Please provide to the Committee the names of the analysts you refer to who believed that the POW's being referred to in the initial report were at Vinh.

Mr. DESTATTE. I believe the Committee already has the complete classified text of the initial report including the field analysis concerning the information in the report in its files in the Senate Security Office. This is one of the documents the Vice-Chairman said he carefully analyzed. Therefore, the Vice-Chairman is aware that the message does not identify the analyst who prepared it. Since the Vice-Chairman has examined the full text, I am confident he does not question the following three facts: One, the unclassified text of the translation of the information in the initial report stated, "Group [number deleted] is holding four pilots captive . . ." Two, the field analysis appended to the translation in the first report explained why the specialist who first acquired the data and/or the field analyst working with him believed the Group holding the four pilots was possibly located near Vinh. Three, the first report was prepared by persons directly involved in collecting the information.

I am confident the Vice-Chairman and his staff will agree that the specialists who collected the data and prepared the first report were the persons best qualified to make the observations they described in their explanation of why they believed the Group holding the four pilots was possibly located near Vinh. In my judgement, we can confidently accept the judgement of those specialists.

During September-December 1986, I held discussions with several National Security Agency (NSA) experts who were familiar with 1973-era activities relevant to the analysis of the messages in question. With their assistance I examined several of NSA's 1973-era technical references relevant to the messages in question. One NSA specialist I spoke with was a member of the U.S. Air Force, who showed me a flight record that confirmed he participated in the mission that collected the information reported in the initial report on 5 February 1973. According to him, he was one of only two specialists on that mission who, by the nature of their duties, could have collected the information contained in the first 5 February message. He did not recall any details about the specific message in question. However, he did describe the limitations, capabilities, and typical pattern of activities of such missions. The information supplied by him, other NSA specialists, and NSA technical references reinforced my confidence in the accuracy of the field analysis included in the first message on 5 February 1973—the Group holding the four pilots was possibly located in the vicinity of Vinh. Responsible NSA officials made their specialists and technical documents available with the caveat that NSA would retain control over dissemination of any information developed during the discussions.

I have tried to keep my comments unclassified. I have submitted an unclassified version of the message in question. Because the message and its analysis touches on very sensitive sources and methods, I respectfully ask that we not discuss it further in open session. If responsible officials of NSA agree, I will be happy to discuss any specific aspects of this and any other message related to the Baron 52 incident with properly cleared members of the committee and staff in a secure setting.

8. p. 119. Please provide the name of the separate person who issued the different translation. Also, the Committee's copy of the second report contains four sentences, not one. Please clarify your statement that the second report was a one-sentence re-translation of the first report.

Mr. DeSTATTE. The complete classified text of each of the two messages in question, including the field analysis included in each message, were among the documents already supplied to the Committee. Those two messages are two of the documents the Vice-Chairman said he carefully analyzed. Therefore, the Vice-Chairman is aware that those two messages did not identify the analysts who prepared them. During September-December 1986 responsible NSA officials helped me try to identify the authors. We were not successful.

I welcome the opportunity, however, to clarify my statement that the second report was a one-sentence retranslation of the first report; because, as the Committee knows, the Vice-Chairman's last minute request allowed little time to review the record and refresh my memory on this complex case prior to giving oral testimony.

A fundamental fact of this case is that a single item of information collected early on 5 February 1973 formed the sole basis for the two 5 February 1973 messages on which we have focused our attention. Each of those 5 February 1973 messages contained a different translation of that single item of information.

My oral testimony was that each translation of the single item was reported as a single sentence in each of the two separate reports on 5 February.

The unclassified text of the translation recorded in the first report consisted of the following sentence: "Group [number deleted] is holding four pilots captive and the group is requesting orders concerning what to do with them."

The unclassified text of the translation recorded in the second part is: "Group [number deleted] has four pirates, they are going [words deleted] from 44 to 93, they are having difficulties moving along the road."

Having reviewed our copy of the second report, it appears that you have substituted periods for the semi-colon and commas in the original text.

One could count four sentences in the second report only if one substitutes periods for the one semi-colon and two commas in the original one-sentence classified text.

9. p. 120. *Is Jerry Mooney the author of the second February 5th report which specifically states that 44 and 93 refer to kilometer markers? If he has not, then why did you state to the Committee that Jerry Mooney "chose to assume: 44 and 93 were kilometer markers," when in fact the earlier report makes clear that is what they are? Do you dispute this portion of the earlier reports?*

Mr. DeSTATTE. I believe the Vice-Chairman has misquoted the second report. The second report does not "specifically state" that 44 and 93 refer to kilometer markers. As the Vice-Chairman knows, having carefully analyzed these messages, the second message contains a comment by an analyst in the field, probably in Okinawa, that speculated 44 and 93 were possibly references to kilometer markers.

One of Jerry Mooney's responsibilities in 1973 was to subject the preliminary field analysis to a critical analysis—to exercise quality control. If Mr. Mooney had fulfilled this responsibility he would have concluded that 44 and 93 were unidentified references. For reasons based on linguistic considerations and the Peoples Army of Vietnam's standard military reporting procedures, it is highly improbable that 44 and 93, as they are used in this message, are references to kilometer markers. They could be references to check points, actual unit designations, personalities, radio call signs, etc. There was not sufficient information in the text of the message or about the message to definitively identify the true meaning of 44 and 93 as used in the message.

The second report said the four "pirates" were going from 44 to 93. The text did not clarify the meaning of the numbers. As I noted earlier, the comments section appended to the second translation speculated that 44 and 93 could be kilometer markers.

Mr. Mooney carried the speculation about kilometer markers two steps further. First, he speculated they were located in Laos. Second, he speculated they could be located on specific routes (there were several to chose from).

Every route more than 44 kilometers long in North Vietnam and South Vietnam, as well as in Laos, would have had a kilometer marker (KM) 44. Every route more than 93 kilometers long would have both a KM 44 and KM 93. NSA had confirmed the coordinates of some kilometer markers. It appears Mr. Mooney simply—and arbitrarily—selected from a gazetteer a KM 44 and KM 93 that were north of the Baron 52 crash site, were relatively close to each other, and gave the appearance of travel in a preconceived direction. The kilometer markers 44 and 93 he chose, happened to be located on two different roads that traveled in different directions and were located on opposite sides of a chain of mountains. If Jerry Mooney performed the elementary analytic step of plotting the two points on a topographic map, he should have realized how improbable his equations were. Jerry Mooney's apparent

overriding interest was to fashion an analysis that could fit a preconceived desire to link the information in the 5 February 1973 report to the Baron 52 incident.

10. p. 123. *Have you ever spoken with the persons who prepared both reports? Have you ever reviewed the actual tapes and handlogs which contained the actual data, in encrypted form? If not, why did you state to the Committee with certainty that the second report was another translation of the same data translated in the first report? On what basis do you assume the second report is a retranslation of the first report?*

Mr. DeSTATTE. The Vice-Chairman said he carefully analyzed each of the two reports he asked about here, which were issued on 5 February 1973. I believe the complete classified text of each report is in the Committee's files in the Senate Security Office. Therefore, the Vice-Chairman knows the two reports do not identify the analysts who prepared them.

I believe NSA experts informed the Vice-Chairman and his staff during their research that in 1973 the actual tapes and handlogs were not intended to be permanent documents. Tapes were recycled according to a fixed schedule. To the best of my knowledge the tapes and any handlogs that might have made reference to these messages have not survived.

During September-December 1986 responsible NSA officials helped me try to identify and locate all persons with direct knowledge about the two reports and all surviving records related to them. We did not identify the authors of the two reports nor any tape or handlogs related to them.

It is my understanding that the information in question was transcribed from unencrypted voice communications.

The relationship between the two reports should not be given open to serious dispute. The second report clearly cited the serial number of the first report and stated it was a follow up to the first report.

The fact that each of the reports was based on the same data should not be open to serious dispute. Both reports cite the same time of acquisition.

Although the Vice-Chairman and his staff, as a result of their research, should understand the process that generated these two reports, it might be helpful if we shared that knowledge with the rest of the Committee.

The data was acquired and recorded on tape by specialists aboard a U.S. Air Force plane orbiting several miles off the coast of North Vietnam. The aircraft and crew were based in Okinawa. Each flight remained on station off the coast of Vietnam for approximately 12 hours before returning to Okinawa. At the time the data in question was acquired, the flight that acquired it was approximately due east of Vinh.

Standard procedures on these flights dictated that some types of data, including information that might be related to captured U.S. servicemen, would be translated and reported immediately as a spot report. The first of the two reports you asked about was a spot report made while the aircraft was still on station.

In accordance with standard procedure, after the flight returned to Okinawa other specialists reviewed the tapes made during the flight. The specialists reviewing the tapes would issue corrections, additions, or revisions of the spot reports issued during the mission. The second report you asked about cited the serial number of the first message and clearly noted it was the first follow up report and final version of the initial spot report.

The sentence structure of the second translation followed the same format as the translation in the first report; showing it was a revision of, rather than an addition to, the first translation. For example, the first translation began with the words, "Group [number deleted] is holding four pilots captive . . ." while the second translation began with the words, "Group [number deleted] has four pirates . . ." As the Vice-Chairman and his staff learned during their careful analysis of these two reports, each of the translators heard the Group number differently.

11. p. 127. *Please provide documentation to support your statement to the committee that there were three ARVN helicopters downed in an area near Vinh at the approximate time frame of the February 5th Spot Report.*

Mr. DeSTATTE. I believe the Vice-Chairman has misquoted me. My oral testimony was: "There, in fact, were at least three ARVN helicopters that were down in an area that would have caused the crew, if captured, to be evacuated through Vinh at the approximate time frame that we acquired this particular piece of intelligence."

I believe it is common knowledge that the Republic of Vietnam Armed Forces (RVNAF) did not fly helicopters into North Vietnam—and certainly not into any area near Vinh in early 1973.

Any RVNAF aviators and most RVNAF ground troops the Peoples Army of Vietnam (PAVN) captured in the Laos panhandle and Thau Thien and Quang Tri Prov-

ince between early 1971 and early 1973 would have been moved to POW camps in North Vietnam. One example would be the several hundred RVNAF personnel captured in Southern Laos during the joint US/GVN Operation Lam Son 719 in early 1971. The commander of the Army of the Republic of Vietnam (ARVN) 3rd Airborne Brigade and members of his staff who were captured during that operation reached Hanoi within a few days after being captured. Another example would be the 163 POWs, including three officers, from the 2nd and 9th Battalions of the Republic of Vietnam Marine Corps (RVNMC) who were captured in Quang Tri Province in January 1973 and joined returned U.S. POW LCDR Phillip A. Kientzler at a POW camp in Quang Binh Province North Vietnam on or about 1 February 1973.

According to United States Air Force records, between 1 January 1973 and 5 February 1973 the RVNAF lost the following aircraft in the area I referred to:

Type	Tail No.	Location	Date
UH1	388	Quang Tri	January 1973, <sup>1</sup>
UH1	7015717	Quang Tri	January 1973, <sup>1</sup>
UH1	6915120	Lao Panhandle	31 January 1973.
O1	514956	Quang Tri	28 January 1973.
A37	687953	Quang Tri	1 February 1973.

<sup>1</sup> Day not listed.

The RVNAF lost two additional aircraft in January 1973 for which our copy of the USAF record does not list a coordinate: A1-134526, 17 January 1973; O1-5112682, 18 January 1973.

Also, the Royal Lao Air Force (RLAF) lost three T-28 aircraft on 10 and 12 January and 4 February 1973; however, our copy of the USAF record does not list locations for these losses. One or more of these losses could have occurred in Xiang Khoang Province, the site of several engagements in early 1973. Some RLAF aviators captured in this area were taken to Vinh.

I am submitting herewith an extract from the USAF listing to substantiate my testimony.

12. p. 133. Please provide to me the series of messages which you were able to recover that flowed between Jerry Mooney and the Air Force Security Command at Kelly Air Force Base.

Mr. DeSTATTE. The Committee has asked that I limit my testimony to unclassified information. To the best of my knowledge the messages in question have not been declassified. My agency did not originate the documents; therefore, we do not have the authority to release or declassify them.

If the Vice-Chairman obtains agreement of responsible officials of the NSA and the Air Force Security Command, I will be happy to discuss these messages with properly cleared members of the committee and staff in a secure setting.

If the Committee wishes to address a request for the messages to the NSA or the Air Force Security Command, the messages in question are: HQ USAFSS MSG 061652Z FEB 73. HQ USAFSS MSG, 12 FEB 73 (Not Recovered). HQ USAFSS MSG. (No date on recovered copy. However, since recovered copy made reference to the HQ USAF's informal request for information dated 12 FEB 73, and NSA responded on 14 FEB 73, it appears the recovered message was dated 13 FEB 73.) NSA BRAVO GROUP (B6) MSG 142345Z Feb 73. HQ USAFSS MSG 162242Z FEB 73.

In view of our discussion about speculation, the Committee might wish to know that NSA BRAVO GROUP (B6) MSG 142345Z Feb 73, apparently authored by Mr. Mooney, begins: "I find your speculation very interesting and agree that the crew could have bailed out at a point closer to KM 44 than the crash cite [sic]."

Baron 52 went down within 20 minutes after the last radio contact and about 22 nautical miles north of its location at the time of the last radio contact. If it stayed airborne for the full 20 minutes, at normal operating speed it could not have been further than about 6 nautical miles north of the crash site. The KM 44 Mr. Mooney referred to was about 65 nautical miles north of the crash site.

13. p. 139. Please provide hard evidence directly pertaining to the issuance of the May 2, 1973 report which verifies your statement to the Committee that it circumvented the normal quality control procedures that are in place at NSA. Please provide the names of Jerry Mooney's supervisors to which you referred. Please describe what would have been the normal procedure at NSA at the time which, if followed, would have made the message an NSA judgement.

Mr. DeSTATTE. When I researched this incident in 1986, I spoke with several experts from the NSA who informed me that the serial number of Jerry Mooney's 2 May 1973 message identified the message as an office message—a type of electronic mail that gave analysts a flexible and informal means of exchanging views and information. The NSA experts informed me NSA used a different type of serial number to identify an officially coordinated and approved agency product.

I believe the Vice-Chairman has misquoted my reference to Mr. Mooney's superiors. My oral testimony did not state or imply that I had consulted with Jerry Mooney's supervisors or that I knew who they were. In context, my oral testimony was a general observation to the effect that, given NSA's well deserved reputation for high standards, if Jerry Mooney had submitted his 2 May 1973 message for review and approval as a formal NSA report: "I am confident that Jerry Mooney's superiors would have asked him to document each of the assertions that he made in that lengthy message and they would have found that they [Mooney's assertions] were unsubstantiated by the facts."

I am not a member of NSA. If the Committee requires an authoritative description of NSA's internal procedures, I respectfully recommend the Committee request responsible officials of the NSA provide the information.

14. p. 141. Please provide the analytical comment made by the person who issued the initial report. Please provide the reasons spelled out by that person on why he believed the unit holding the pilots was located at Vinh. Please provide the name of the person you tracked down and his colleague, either of which you state actually acquired the information and issued the initial report. Please provide the date and any documentation of your conversations with him as referred to in your testimony.

Mr. DeSTATTE. The Vice-Chairman said he carefully analyzed the first report, which was issued on 5 February 1973. The complete classified text of the report, including the analytical comment that was part of the report, is among the documents in the Committee's files in the Senate Security Office. Therefore, the Vice-Chairman knows I have represented the report and its analytical comment objectively and fairly.

The field analysis of the data in the first report explained why the specialist who first acquired the data and/or the field analyst working with him believed the Group holding the four pilots was possibly located near Vinh.

I am confident the Vice-Chairman and his staff agree that the specialists who collected the date and prepared the first report were the persons best qualified to make the observations they described in their explanation of why the Group holding the four pilots was possibly located near Vinh. In my judgment, we can confidently accept the judgment of those specialists.

The answers to the remainder of this question can be found in my response to the Vice-Chairman's similar question, question number 7, above.

A detailed discussion of the analytical comment in the first report would touch on sensitive sources and methods for which NSA is the releasing authority. The Committee has asked that I limit my responses to unclassified information. Therefore, I trust the Vice-Chairman will understand that I am compelled to respectfully ask that we refrain from discussing the analysis of this report in detail in this setting. I have submitted herewith a copy of the unclassified version of the first report to substantiate my testimony.

If responsible officials of the NSA agree, I will be happy to discuss any aspect of the first report with properly cleared members of the Committee and staff in a secure setting.

15. p. 142. Did you ever attempt to contact Jerry Mooney or other analysts who may have been involved in the May 2nd report to inquire specifically where the mention of water may have originated? If so, please provide dates and supporting documentation. If not, please indicate why such contact has not been made. Please describe and document any other attempts you have made to determine where this information was acquired.

Mr. DeSTATTE. Mr. Mooney has released publicly several assertions about the 2 May 1973 message and other topics. I have seen nothing in his statements that indicate he could give me information I could have confidence in. Furthermore, I believe there is some question as to whether an official of the DIA would have legal authority to contact him in an official capacity.

I understand responsible officials of the NSA have spoken with Jerry Mooney about various topics, including the questions you posed here. I also understand Mr. Mooney supplied the Committee with a lengthy statement concerning the questions you raised here. To the best of my knowledge, Mr. Mooney did not provide NSA

officials or the Committee any new information about the origin of any details in his 2 May 1973 message.

During September–December 1986, I held discussions with several National Security Agency (NSA) experts who were familiar with 1973-era activities relevant to the analysis of the messages in question. Responsible NSA officials helped me try to identify and locate all persons with direct knowledge about the two messages and all surviving records related to all of the messages in question. They conducted a computer-assisted search of NSA's holdings to locate other messages that might have been related to the messages in question. With their assistance I examined several of NSA's 1973-era technical references relevant to the messages in question. As I testified earlier, they identified and I spoke with a U.S. Air Force specialist who was a member of the flight crew that obtained the information reported on 5 February 1973. He did not recall any details about the specific message in question.

The information supplied to me by responsible NSA specialists and NSA technical references reinforced my confidence that the sole documentary evidence for Jerry Mooney's 2 May 1973 message was the information contained in two reports issued on 5 February 1973.

The Vice-Chairman said he carefully analyzed both of those reports; therefore, he is well aware they did not mention water or several other items of data Mr. Mooney mentioned in his 2 May 1973 message. I have submitted copies of the unclassified text to the Committee to substantiate my testimony.

In 1986, responsible NSA officials made their specialists and technical documents available to me with the caveat that NSA would retain control over dissemination of information developed during the discussion, including my notes. My notes touch on sensitive sources and methods for which the NSA is the authorized releasing authority. If responsible officials of the NSA agree, I will be happy to release my notes or make them available for review by properly cleared members of the Committee and staff in a secure setting.

*16. p. 142. Please provide me with a copy of this message where Jerry Mooney states the initial report was the only information that his analysis was based on.*

Mr. DeSTATTE. This is the same as question number 1, above.

The message I referred to in my oral testimony was Mr. Mooney's 2 May 1973 message. It is one of the documents the Vice-Chairman said he carefully analyzed. I believe a copy of the complete classified text is in the Committee's files in the Senate Security Office. I have submitted herewith a copy of the declassified text to substantiate my testimony.

It might be helpful to restate the facts as I understand them; because, as the Committee knows, the Vice-Chairman's last minute request to discuss this complex case allowed little time to review the record and refresh my memory prior to giving oral testimony.

My oral testimony, in its full context, was that a single item of information collected early on 5 February 1973 formed the sole basis for three messages on which we have focused our discussions: two different translations of that single item issued in separate reports, both dated 5 February 1973; and one message authored by Mr. Mooney, dated 2 May 1973.

My oral testimony was that each translation of the single item was reported as a single sentence in each of the two separate reports on 5 February.

I also stated that this single item of information, in its two forms (or translations), was the sole source of information from which Mr. Mooney developed his 2 May 1973 message—the message which is the basis for the controversy about the fate of the Baron 52 crew.

Finally, I stated Mr. Mooney's own correspondence confirmed that the single item of information collected on 5 February 1973 was the only item of information upon which he based his 2 May 1973 message. The correspondence I had in mind was the introductory paragraph of his 2 May 1973 message. In his prepared statement the Vice-Chairman referred to the 5 February and 2 May 1973 documents as "sensitive intercepts" and messages "in which a Vietnamese . . . unit reported . . ."

In the introduction to his 2 May 1973 message Mr. Mooney said he had: "reviewed all available information concerning the four fliers mentioned in the 5 Feb message and no additional reflections or amplifying information concerning the disposition of the fliers were revealed. For your information and consideration the following is a recap of the intercept and some observations concerning this subject:"

I invite the Committee's attention to the fact that Mr. Mooney used the singular case when he referred to: "the 5 Feb message" and "the intercept".

*17. p. 143. Please document exactly which portions of the 2 May message fit the definition of "fiction".*

Mr. DeSTATTE. One definition of fiction, according to my dictionary, is "something accepted as fact for the sake of convenience, although not necessarily true." In my judgment that definition applies to much of Mr. Mooney's 2 May 1973 message.

As I have stated earlier, Mr. Mooney's 2 May 1973 message was based on a single brief piece of information collected on 5 February 1973. Two different translations of that piece of information were published in separate messages on 5 February 1973. Neither version contained any of the following several items of information quoted from Jerry Mooney's 2 May 1973 message: The four fliers, whose nationality was not disclosed, were "located on 5 Feb in the general area north of Moung [sic] Nong in the Binh Tram 33 area." "Two unidentified personalities in the Binh Tram 9 area were to be contacted concerning movement of the POWs and if problems were encountered, high HQs was to be notified to supply 'ways and means' to move the fliers." "Sufficient water was to be given to the fliers." An unidentified personality associated with an unidentified Group . . . , probably in North Vietnam, . . . "asked that he be notified of their [the four fliers] time of departure as he was waiting for them."

Additionally, Mr. Mooney misrepresented or misquoted some details, perhaps unconsciously, and made unsubstantiated assumptions. For example, at one point he wrote: "In another conversation (also on 5 Feb) an unidentified personality associated with an unidentified Group . . . , probably in North Vietnam, . . . stated that there has been some difficulties in transporting the fliers . . ."

In fact, Mr. Mooney was not quoting from "another conversation"; he was quoting from the second translation of the only conversation reported on 5 February.

Mr. Mooney also substituted new wording in place of the original text of that translation. The original text did not say there has been some difficulty moving the fliers; it said the: "four pirates . . . are having difficulty moving along the road."

Also, the original text had nothing to say about "ways and means". Nevertheless, Mr. Mooney not only supplied the new words, but added speculation that "ways and means" was a: "probable reference to trucks."

Finally, Mr. Mooney recycled his new words and speculation into his concluding statement: "Further, since vehicle transportation was indicated, rapid movement is reasonable, [therefore] it is possible that these 4 fliers were part of the crew of the EC-47."

The Vice-Chairman said he carefully analyzed the two reports issued on 5 February 1973 and Mr. Mooney's message dated 2 May 1973. Also, copies of the complete text are in the Committee's files in the Senate Security Office. I have submitted copies of the unclassified texts to substantiate my testimony.

*18. p. 150. Please provide copies of the two subsequent messages. The Committee's copy of the 17 February report states, "It has been reported that the people involved in the south laotian campaign have shot down one aircraft and captured the pilot/pilots." Given the reference in this report to pilots(s) having been captured by people involved in the south laotian campaign, why did you lead the Committee to believe that this report was referring to an F-4 which was shot at, not in Laos, and later landed at Uborn air base in Thailand? How do you explain this sentence from the 17 February report?*

Mr. DeSTATTE. The Vice-Chairman has raised this question before. On 13 September 1989, my agency sent the Vice-Chairman a written assessment of this 17 February 1973 report. We explained why the information in that 17 February 1973 report was related to an incident that occurred in an area immediately south of the Demilitarized Zone that separated North and South Vietnam; and why it was not related to Baron 52.

On 5 August 1992, the Vice-Chairman released a prepared statement to the Committee and the press that again questioned the basis for our assessment. I am happy to have this new opportunity to describe the basis for our assessment.

The 17 February 1973 message offers an excellent example of the mistakes and misinterpretations that are created when an analyst takes a single piece of intelligence out of context and attempts to derive definitive conclusions about it. Also, the Vice-Chairman's remarks in his prepared statement on 5 August 1992 concerning the 17 February 1973 document very effectively illustrate that such mistakes and misunderstanding can persist for years and influence the judgment of even very senior officials.

The Vice-Chairman quoted from a 17 February 1973 immediate precedence message from a Vietnamese anti-aircraft (AAA) unit. A more complete quote from the report shows that the AAA unit indicated it had received a report that the: "people involved in the south Laotian campaign have shot down one aircraft and captured

the pilot/pilots. It asked that Vietnamese units recover pieces of the aircraft immediately."

The report the Vice-Chairman cites was issued at 0515 hours GMT on 17 February 1973. The text of that report clearly indicated that a People's Army of Vietnam (PAVN) unit had reported it shot down a U.S. aircraft and captured the pilot or pilots.

However, that report did not identify the type of aircraft, the specific date and location of the incident, or the nationality of the pilot or pilots mentioned in the text. Although there was no specific detail that conclusively linked the information with Baron 52, some analyst placed a copy of the message in the casualty files related to the Baron 52 crew; presumably because the text of the message suggested the incident could have occurred in southern Laos and because the information was collected only a few days after Baron 52 was lost.

DIA apparently did not receive three related messages. Two were issued on the 17th and one was issued on the 19th of February 1973. Those three messages confirmed the report the Vice-Chairman cited was not related to the Baron 52 incident.

When I researched the Baron 52 incident in 1986, with the NSA's help, we recovered three messages that clarified the report the Vice-Chairman cited; i.e., the report issued at 0515 hours GMT, 17 February 1973. Those three messages, issued at 0600 and 0630 hours GMT on 17 February 1973, and at 2000 hours GMT on 19 February 1973, respectively, confirmed that the information in the original PAVN report was not accurate—the PAVN AAA unit had not shot down an aircraft, nor had it captured any pilots.

The three later messages showed that the PAVN unit that issued the initial report said a PAVN AAA unit had fired on and hit an RF-4 shortly before 0900 hours local time on 14 February 1973—not 17 February 1973.

The RF-4 is a two-seat, long-range, all-weather, jet engine, attack aircraft modified for photographic and electronic reconnaissance missions.

The later messages also indicated that after it was hit the RF-4 flew away to the southeast trailing smoke. Later that day, one PAVN combat command instructed subordinate units to search for evidence the aircraft went down and send the evidence, if any could be found, to the command.

The Vice-Chairman questioned why I would correlate the data in the report he cited to an incident in South Vietnam, since the report indicated the "people involved in the south Laotian campaign have shot down one aircraft and captured the pilot/pilots". When the report the Vice-Chairman cited is placed in its full context, we discover that the related follow up reports identify the "people involved" as a PAVN unit located near the border between Laos and Quang Tri Province, South Vietnam—part of an area PAVN loosely referred to as southern Laos. Forces involved in campaigns in that area could be deployed on both sides of the Lao-Vietnam border.

Perhaps the initial 17 February 1973 report is an example of a PAVN anti-aircraft unit exaggerating the results of an earlier engagement with the RF-4.

In fact, U.S. records show that no RF-4 or any other U.S. aircraft were downed on this date and in this area. The only record of any aircraft incident on 14 February 1973 was a brief entry in the operations log of the 56th Aerospace Rescue and Recovery Squadron indicating an F-4 with flight control problems made an emergency landing at an air base in Thailand, at 1220 hours local time—i.e., about 3 1/2 hours after the incident described in the 17 February 1973 report. However, we could not confirm this F-4 had been hit by Anti-Aircraft fire or that it was related to the incident described in the 17 February 1973 report.

In summary, when we examine the initial 17 February 1973 report in its full context, we discover it was not related to the EC-47Q involved in the Baron 52 incident. We also learn it was not related to any downed aircraft or captured pilot. If there is any kernel of truth in the initial PAVN report, the truth is that a PAVN unit located near the border between Laos and Quang Tri Province, SVN, fired on and possibly damaged an RF-4 nine days after Baron 52 went down—an RF-4 that did not crash, with a crew that was not captured.

Downed EC-47 crew—1. Have reviewed all available information concerning the four fliers. And no additional reflections or amplifying information concerning the disposition of the fliers were revealed. For your information and consideration the following is a recap. And some other observations concerning this subject.

2. Four fliers, whose nationality was not disclosed, were located on 5 Feb in the general area north of Moug Nong.

The fliers were to be transferred from "44," a probable reference to kilometer marker 44 on Route 914 (XD 495254 16-30N 106-25E) to "93," a probable reference to kilometer marker 93 on Route 1032 (XD 549505, 16-43N 106-27E), and were ap-

parently en route to west of the DMZ in Laos, two persons were to be contacted concerning movement of the POWs and if problems were encountered, high HOS was to be notified to supply "ways and means" (references to trucks) to move the fliers. Sufficient water was to be given to the fliers.

There had been some difficulties in transporting the fliers and asked to see if these problems had been resolved so movement could continue. The person also asked that he be notified of their time or departure as he was waiting for them.

Although the initial location given is some 65 KM from the crash site it is possible that at least part of the crew were able to bail out prior to the crash and therefore could have been closer to this point than the crash site when they were captured. Further, since vehicle transportation was indicated, rapid movement is reasonable. It is possible that these 4 fliers were part of the crew of the EC-47.

Date: 9 Feb 73

Mission Number: 012

Flight Designation: Jolly Green 60

Mission Objective: Rescue & Recovery of Crewmembers of Baron 52

Location: 058/83/82

Saves: None

1. SUMMARY OF SAR ACTIONS: On 9 Feb 73 Jolly Green 71 and 60 were launched at 1050L to recover the bodies of 8 crewman from Baron 52, an EC-47 downed in Eastern Laos, position 058/83/82. The flight was uneventful until we reached a point E, 042/93/82. At this time we were at 9500 MSL and received activity lights and launch lights on RHAW gear of all aircraft. Evasive actions were taken with no problems encountered. Both aircraft arrived at the SAR area at 1320L. JG 71 held 5 miles north while JG 60 proceeded to the location of Baron 52. JG 60 lowered 3 PJ's plus a technician to the crashed aircraft to recover bodies and get positive identification on the aircraft. The aircraft appeared to have crashed nearly vertically and upside down. Both wings were sheared off and the fuselage was completely gutted by flames. The only portion left intact was the tail. After about 45 minutes in the hover, JG 60 recovered two of the PJ's and then because of fuel shortage, egressed the area. JG 71 then proceeded to the area and picked up the 2 remaining men. Egress for both aircraft was accomplished with no problem, and both aircraft recovered at NKP at 1600L. The PJ's recovered the upper portion of one body and positively determined that all crewmembers had perished. A large piece of metal, bearing the aircraft number 636 positively identified the aircraft as Baron 52.

Crewmembers of JG 71 High. Capt Shapiro, Richard D., 291387999; 1Lt Houk, Jason H., 403627178; SSGT Cross, Ronald A., 218421753; TSgt Salome, Charles F., 579588403; Sgt Moreno, Ralph R., 551724922; SSGT Johnson, Cdey L., 422424585. Crewmembers of JG 60 Low. Maj Robert D. Furman, 093263711; 1Lt Steven H. Van Jepmond, 562706687; SSGT Cayetano, Pina, 449760213; SSGT Robert B. Johnson, 266929966; TSgt Harwell P. Quillian Jr, 422583073; Sgt Dennis C. Williamson, 329443149; Sgt Melvin A. Baumgardner, 233861075.

RICHARD D. SHAPIRO,

Capt, USAF, Aircraft Commander.

ROBERT D. FURMAN,

Major, USAF, Aircraft Commander.

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS 8TH TACTICAL FIGHTER WING (PACAF),  
APO San Francisco, March 9, 1973.

Mr. and Mrs. GEORGE R. CRESSMAN,  
St. Petersburg, FL.

DEAR MR. AND MRS. CRESSMAN: I am writing to you to provide a detailed summary of all the circumstances surrounding the death of your son, Sergeant Peter R. Cressman. While I do not have any new information, I would like to review the circumstances in more detail for you, and to explain more fully the reasons for the decision to declare your son killed in action.

On 4 February 1973, Peter was a crew member of an EC-47 aircraft on an operational mission over Laos. The aircraft departed Ubon Airfield at approximately 11:05 PM (local), 4 February 1973. At approximately 1:25 AM on 5 February, the aircraft reported observing ground fire, and at 1:30 AM reported operations normal. This was the last contact that was made with the aircraft. After several attempts to establish contact failed, search and rescue efforts were put into effect at 6:00 AM (first light) on 5 February. The search included a continuing visual and communications search in addition to numerous photographic reconnaissance flights.

On 7 February 1973 a crash site was discovered, which through photo interpretation was determined to be your son's aircraft. A helicopter then took a pararescue team to the site and hovered while the team was lowered to examine the wreckage. The aircraft was almost totally destroyed. The entire fuselage was badly burned, and equipment in the aft part of the fuselage was completely melted. The aircraft had impacted upside down and there were no skid marks. Both wing tips were broken off, and were located some distance from the aircraft. The helicopter and the team remained in the area until forced to depart due to running low on fuel. The remains of one crew member were recovered and later identified as those of the co-pilot; no other remains were recovered. Due to the fact that the aircraft crashed in an extremely hostile area, no other search and rescue teams have been scheduled to go into the area. Your son was originally carried as missing in action until a review could be made of the facts and circumstances surrounding the incident. After a thorough review, it was determined that there were no survivors. Based on this, your son's status was changed to killed in action on 22 February 1973.

The severity of the crash, the total destruction of the aircraft, the intense fire, and many other factors were considered before we regretfully reached this decision. Also of importance was the fact that no emergency radio beepers were ever heard from any member of the crew, and no parachutes were seen.

When the current intense hostility in the area subsides, hopefully other teams will be sent in. Please be assured that you will be notified immediately of any new findings. If I may be of further assistance, or if you feel that there is some point you would like to have explained in more detail, please do not hesitate to contact me.

Sincerely,

HEADQUARTERS, JOINT CASUALTY RESOLUTION CENTER,  
APO San Francisco, June 28, 1973.

[Memorandum for Record]

Reference: (a) Enclosure 2 Target Folder #4044; (b) Enclosure 3 Target Folder #4044; (c) Enclosure 14 Target Folder #4044

1. During the month of June 1973 the Site Development Branch was involved in preparing target folders for Laos crash sites.
2. A review of target folder #4044 provided the names of three members of the Rescue and Recovery Mission 012 of 9 February 1973 who were still located at NKP. These men were contacted and separately interviewed/debriefed for details of that mission. This memorandum provides the results of those debriefs.
3. The name, duty position on the mission, and organization of the three men are: a. Major Robert D. Furman, 093263711 USAF Pilot of Jolly Green 60 on 9 Feb 73. 40th Air Rescue and Recovery Squadron; Phone 3929 Operations. b. SSgt Robert B. Johnson, 266929966 USAF Pararescue-man (PJ) for Jolly Green 60 on 9 Feb 73. 40th Air Rescue and Recovery Squadron; Phone 3929 Operations. c. Sgt Melvin A. Baumgardner, 233861075 USAF Photographer for Jolly Green 60 and door gunner on 9 Feb 73. Detachment 12 601st Photo Squadron; Phone 2911.
4. Reference (a) and (b) were used during the debrief of each of the three men and are marked with the information that they provided to assist JCRC in any further recovery efforts for Baron 52. Reference (c) is the after-action report of Mission 012 obtained from the 40th Air Rescue and Recovery Squadron. Paragraph 5 of this memorandum is a synopsis of Mission 012 9 Feb 73. Paragraph 6 discusses the details of Jolly Green 60's mission objective. Paragraph 7 relates the information given on the local natives and their activity during the 9 Feb 73 operation. Paragraph 8 deals with the terrain and its effect on the operation of 9 Feb 73. Paragraph 9 furnishes information about the aircraft wreckage. Paragraph 10 contains the details about the search and recovery of the remains of Baron 52 crewmembers. Paragraph 11 gives some conclusions reached by the debriefer pertaining to Crash Site #4044.
5. *Synopsis.* Jolly Green 60 inserted a search and rescue team of four men into Crash Site #4044 on 9 February 1973 for approximately one hour. The upper torso of Lt. BERNHARDT was recovered, and the remains of three or four other members of the crew were seen in the wreckage. The search and rescue party heard and saw people moving in the bamboo thicket bordering the crash site. The search and rescue team requested to be extracted and the men were lifted out of the crash site by Jolly Green 60 and Jolly Green 71. The helicopter and search party did not encounter any hostile fire or action during the mission.

6. *Mission Objective.* On 9 February 1973 Jolly Green 60 was designed as the aircraft to insert the search and rescue team into the crash site at YC 143291. The mission of the search and rescue team was stated differently during the debrief from what is given in enclosure 14. The primary mission was to search for and rescue any "living" survivors, insure that the classified electronics equipment on board Baron 52 was destroyed, and recover any remains of the crew. A radio man was a member of the search and rescue team to inspect the electronics equipment. He determined from his inspection that the equipment was destroyed and of no value.

7. *Local Population.* Jolly Green Mission 012 did not receive any hostile fire/action in the area of the crash site. The crash site was not bobby trapped. This is significant in that the search and rescue team found fresh trails leading into the crash site and that people were seen in the area. These people attempted to stay hidden from the aircraft flying protection for the SAR's aircraft. At YC 141304 in the vicinity of the fork of the stream several huts were seen. They appeared to have been recently built and were not camouflaged but located in the open. In addition there were numerous trails in the area. The bank of the stream appeared to be the main route in the area with smaller trails leading off into the hillsides. The search and rescue team heard and then saw a person(s) moving on the outskirts of the crash site. They did not receive any hostile action from these people nor did they direct any to them. The team decided it was time to be extracted and requested Jolly Green 60 to pick them up. Jolly Green 60 and Jolly Green 71 extracted the team without any difficulty. All three men interviewed were asked if they thought the people in the area were soldiers or natives. No one was sure one way or the other but suggested that the reason they did not receive any hostile fire was due to the air coverage flying protection.

8. *Terrain.* As depicted on the map a ridge line runs in a north-south direction leading to the crash site. This ridge line was used as a key terrain feature for the helicopter to navigate in and out of the area. Another key terrain feature in the area is the stream that parallels the hill where the site is located. In February 1973 this stream was 9-10 feet wide and the depth was unknown. From Enclosure 3 page 3 and 4, interpretation of the aerial photographs and the opinion of the men debriefed this stream could be as wide as 30-40 feet in the monsoon season (August is the month of the most precipitation). The crash site is located on the eastern slope of a bamboo covered hill at YC 143291.

The slope of the hill is gradual and it did not present any problems to the ground team or to the pilot of Jolly Green 60. Except for the density of the bamboo the pararescue-man stated that he experienced no difficulty moving on the ground. The height of the bamboo ranges from 8 feet to 120 feet. The pilot stated that the bamboo caused him some trouble when the ground team was lowered by jungle penetrator. The problem was overcome very quickly and did not cause any delay. A ravine borders the edge of the airplane wreckage. The pararescue-man described the ravine as a gradual sloping one that men could navigate through without having to use climbing equipment. He also did not see any large rock or boulders that would present an obstacle to a searching party.

9. *Airplane Wreckage.* The aircraft appeared to have crashed nearly vertically and upside down. Both wings were sheared off and the fuselage was completely gutted by flames. The only portion left intact was the tail. The pararescue-men had contemplated tying a sling around the fuselage and having Jolly Green 60 lift the wreckage up for a look inside the fuselage but they decided that the structure was too weak from the fire and would not stand the strain. After inspecting the wreckage the radio technician decided the classified material was destroyed in the crash and fire. I asked SSgt Johnson if he thought the wreckage could be lifted up with jacks and what type of equipment/tools would be needed to cut through the wreckage. He could not offer an opinion to the feasibility of using a jack nor did he feel he could make any suggestions to the type of tools/equipment. He did say that manpower alone would not do it but wasn't familiar with tools to offer any suggestion. The photographer acting as door gunner recalled seeing what he thought might be parts of wreckage uphill from the main crash site. At the time of the debrief he could not recall how far up the hill or in what direction from the main site. He did say it was above the bamboo thicket that had been burned out. The pararescue-man believed that there might be wreckage located in the ravine bordering the crash site. The size of the ground team and the time on the ground prevented them from checking out the ravine.

10. *Recovery of Partial Remains.* There was no prearranged plan for searching the crash site. Three men would search and the fourth would act as perimeter security. They would rotate the man standing security duty to give the search party members

a rest. The men just fanned out over the area looking for wreckage and remains. Enclosure 3, page 4 shows the approximate area searched by the search and rescue team. The smell of burned flesh was very strong. The men on the helicopter could smell it even with the down-draft from the blades. The pararescuemen and the radio technician found the remains of 3 or 4 persons inside the airplane wreckage. The bodies were pinned under the wreckage preventing their removal from the fuselage. No remains were found outside the fuselage. It did not appear that the crew of Baron 52 were preparing to bail out when the plane crashed. It is the opinion of the pararescue man that all the crew died in the crash and fire.

The remains of Lt. Robert E. Bernhardt, co-pilot of Baron 52, were also found pinned under wreckage. When attempting to pull the body out of the fuselage the pararescue man tore the body apart. Only the upper torso and head were recovered. Enclosure 3, page 3 and 4 show where the remains of Lt. Bernhart was found. When asked about enclosure 3, page 14 the men interviewed stated that it is not the remains of a hand of the airplane but the hand of one of the search and rescue team moving under the helicopter. Enclosure 1, page 2 is a diagram where the members of Baron 52 would be located during flight operations. The pararescue man noted that they did not recover Lt. Bernhart's pistol, vest, or parachute. He offered the opinion that the "gooners" might have taken the deceased man's survival gear.

11. *Conclusions.* Crash site 4044 is a lucrative target for the JCRC. It appears that the crew died in the crash and fire. The remains of at least four men were located inside the aircraft wreckage and the partial remains of Lt. Bernhart should be found still pinned under the metal wreckage. The pararescue man pointed out the four remains were the only ones they could see from outside the fuselage. They did not get into the fuselage. The probability that the other members of the crew are located under the wreckage also. The local people in the area do not appear to be hostile. Even with the heavy air protection the helicopters and the men on the ground would be too tempting a target to have let them go without even sniper fire. The wreckage appeared to have been visited but yet it was not booby trapped. If the enemy forces are operating in the area they would have at least set booby traps for anyone going into the crash site. If the area is over grown by vegetation the people in the area should be able to provide guides into the crash site. Aerial photography of the huts have been requested for the anthropologist to analyze. They might be able to come up with the specific type of tribe in the area.

JOSEPH F. CONGE,  
SSgt USMC, Site Development Branch.

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS 8TH TACTICAL FIGHTER WING (PACAF),  
APO San Francisco, April 7, 1973.

Mr. and Mrs. GEORGE R. CRESSMAN,  
St. Petersburg, FL.

DEAR MR. AND MRS. CRESSMAN: Since my letter of 9 March 1973, I have personally discussed at great length the search and rescue effort associated with the loss of your son's aircraft. These discussions were held with the commander of the wing whose unit visited the crash site. I am more firmly convinced than ever, after our discussion, that the decision to change Peter's status was valid. I hope that the information which follows will allay any doubts or fears that the decision was premature or without adequate basis.

First of all, let me review the communication capability of the aircraft. Because of the distance from the nearest radar facility, the aircraft was not being tracked by radar. However, as indicated in my first letter to you the crew was making routine half hourly radio contact and also reporting unusual occurrences. They were also maintaining radio contact with another aircraft flying in the general area. The last radio contact was at 1:30 AM local, when they made routine contact. Members of the crew had ready and immediate access to various types of communications equipment located within the aircraft. Ultra High Frequency (UHF), Very High Frequency (VHF), and High Frequency (HF) radio equipment was in operating condition at the time of departure from Ubon Airfield and was in use during the flight. In addition, each member aboard the aircraft carried survival radios pre-set to operate on emergency frequency in the event of an unexpected situation. All that was required was that they be switched on. The intensive training of all flying personnel makes it improbable that at least one of the crew members would not have instinctively transmitted on one of the many pieces of communication equipment available, in case of an emergency, unless they were all immediately and completely incapacitated. Further, the aircraft communication equipment could operate off the aircraft batteries in an emergency regardless of the condition or operation of the engines.

Another consideration that had a bearing on this decision is the normal operating procedures followed during flights of this nature. The internal design of the aircraft, coupled with the bulky equipment on board, causes most crews to fly without wearing their survival equipment while in flight. Such equipment is cumbersome, uncomfortable when worn for extended periods of time, and, at times, interferes with their duties. The crews are trained to be able to put on the equipment and get ready to leave the aircraft in approximately two minutes. Further, Peter's flight was operating in the early morning hours at an altitude that would necessitate the exit door being closed and locked in view of the cold temperature. Therefore in case of an emergency it would also take time to unlock and open the door. These things can be done quickly if the airplane is flying straight and level, however, if it is in a spin or dive, movement within the aircraft is extremely difficult, if not impossible.

Since no communication contact with the aircraft or any of the crew was made after 1:30 AM, it is a reasonable assumption that the cause of the mishap must have been of a catastrophic nature. It was probably a direct hit from anti-aircraft fire which immediately started a fire in the aircraft thus precluding the initiation of emergency procedures. Assuming this to be the case, the crew would not have had time to retrieve survival equipment, don it, and exit the aircraft safely. To further document the basis of this decision, the fact that the aircraft had approximately five hours of fuel on board at the time of the crash, must be considered. Since the crew had transmitted a report that ground fire was observed five minutes prior to the last contact, and the loss of the aircraft appears to be instantaneous, it can be logically assumed that the aircraft was hit by ground fire and erupted into intense fire as a result of the remaining fuel supply.

The team which visited the crash site had to operate quickly since it was in an extremely hostile area and was subject to attack from ground fire at any time. The extended distance from a friendly base also reduced the allowable time at the crash site, due to the limited fuel supply available for the return trip. Evidence was examined as quickly as possible and team members were thoroughly debriefed and interrogated upon their return. The pararescue team did discover three and possibly four bodies or the remains thereof, (only one of which could be positively identified) but time did not permit a thorough search of the aircraft or the crash site for additional remains. Photographs of the site indicate that the aircraft, in all probability, initially impacted in one area and then continued its trajectory, finally landing in an inverted position. The wreckage was strewn from the impact point to the final resting area, which also prohibited the rescue team from conducting a more intensive investigation.

One of the points made in a letter I received from a next of kin was the treatment of the information concerning the crash by the news media. Premature release of information to the media concerning incidents of this nature could possibly endanger any existing survivors and those involved in their rescue or investigation of the crash site. Once the information does become public knowledge, the treatment of releasable information by the radio, TV and press is beyond our control. As in this case, such treatment can become misleading, causing undue anguish and grief to the next of kin. Admittedly, the mission of your son's aircraft was classified, which tends to spur interest in a "spy plane" incident. Another point made was that the lack of radio beeper contact could not be construed as evidence that there were no survivors, since to establish contact could be risky and unwarranted in such a hostile environment. There is a certain degree of validity to that argument but it is also subject to considerable doubt. Operation of the radio beeper is accomplished by merely activating a switch on the radio. It does not require the downed crewman to talk or make any other movement or noise. Since the beeper does not give away the crewman's location except to aircraft flying overhead, our crews are trained to establish beeper contact even in hostile environments. Although the lack of contact is not overwhelming evidence of death, it, taken into consideration with all other evidence, did have a bearing on the change of status.

In my desire to provide all available information, I want to add some other items of information. The aircraft commander was a seasoned veteran serving his second Southeast Asia tour. The mission was not a special flight—it was a routine flight, of a type flown day and night, without benefit of escort aircraft.

These flights are not escorted by fighter aircraft because of the difference in speed of the aircraft and also because the presence of fighters might attract undue attention. The next point concerns the search and rescue effort. This effort was started immediately after it became apparent the aircraft was in difficulty. Another aircraft flying in the area started listening for emergency radio signals, but none were ever heard. Since there was no contact and the exact crash site could not be precisely located, the search aircraft had to wait for daylight and hope for visual sighting.

Let me summarize by stating that we did employ a certain amount of conjecture in trying to visualize the events as they took place. However, we made logical assumptions based on all the available facts and information. You may be assured that every facet of each piece of information was considered prior to arriving at the difficult decision to change Peter's status to killed in action. Conclusive evidence of death is not required for a commander to arrive at such a decision. Existing evidence did warrant this decision, which is one of the most agonizing and difficult tasks a commander must face.

I am fully aware of the natural instinct to refuse acceptance of the death of a loved one without physical evidence. It is my sincerest hope that I have been successful in alleviating your doubts and, to some degree, in making the loss of your son a little easier to bear. As a final matter of information, the other crew members on the aircraft were Captain George R. Spitz, Aircraft Commander; First Lieutenant Robert E. Bernhardt, Co-Pilot; Second Lieutenant Severo J. Primm III, Co-Pilot; Captain Arthur R. Bollinger, Navigator, Sergeant Dale Brandenburg, Crew Member; Sergeant Joseph A. Matejov, Crew Member; and Staff Sergeant Todd M. Melton, Crew Member.

In the event you desire to communicate with their next of kin, please forward a request for names and addresses to the Air Force Military Personnel Center, Attn: DPMSC, Randolph AFB, TX 78148. This is required to protect the rights and privacy of the involved families. I again extend to you my deepest sympathy, and ask that you contact me if there are any other questions left unanswered.

Sincerely,

F.A. HUMPHREYS,  
Colonel, USAF, Commander.

DEPARTMENT OF THE AIR FORCE,  
Washington, DC, March 23, 1973.

OFFICE OF THE SECRETARY.

DEAR MR. WIDNALL: On behalf of the Director, Legislative Liaison, this is in reply to your inquiry of March 5 concerning Sergeant Peter R. Cressman who was reported killed in action. His parents, Mr. and Mrs. George R. Cressman, contacted you in this regard.

Mr. and Mrs. Cressman were personally notified by an Air Force officer on February 5 that their son was reported missing in action in Laos. Search progress reports were provided to them on February 8 and 10. On February 13, they were informed that human remains found in the area where their son's aircraft crashed were identified as one of the crew members and his family had been notified of his death. Mr. and Mrs. Cressman were advised that they would be kept informed of any information received concerning the incident involving their son. An Air Force officer personally notified them on February 22 that Sergeant Cressman was declared killed in action on February 5 as the result of injuries sustained in the aircraft incident previously reported to them. The information made available to his commander by members of the search team conclusively established that their son could not have survived the incident. They were provided the telephone number of the Air Force Casualty Division in the event they had questions, but they have not contacted that office since they were notified of their son's death.

The oversea commander sent a letter to Mr. and Mrs. Cressman on March 9 providing them with all known facts surrounding the death of their son. A copy of that letter is attached for your information.

Please assure Mr. and Mrs. Cressman that if there had been any doubt that their son could have survived, they would not have been notified of his death. In the event there is any forthcoming information concerning his remains, they will be contacted by the appropriate Air Force official.

We wish to extend our deepest sympathy to Mr. and Mrs. Cressman in the loss they have sustained and want to thank you for your interest.

Sincerely,

H.J. ANDERSEN,  
Colonel, USAF, Congressional Inquiry Division.

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS 8TH TACTICAL FIGHTER WING (PACAF),  
APO San Francisco, February 13, 1973.

Mr. and Mrs. STEPHEN A. MATEJOV,  
East Meadow, NY.

DEAR MR. AND MRS. MATEJOV: It is with regret that I inform you that the search for your son, Sergeant Joseph A. Matejov, has been terminated. I wish to express my personal sympathy and the concern of our entire wing.

The serial and ground search has been conducted continuously since the time of the crash and has now been terminated. After locating the crash site, a helicopter was dispatched to the scene and a rescue team was lowered to examine the wreckage. The aircraft was almost totally destroyed. The team reported finding human remains that have been positively identified as belonging to another crew member. After careful consideration I feel that there is a possibility that one or more crew members could have parachuted to safety, therefore your son will continue to be carried in a missing status until a final determination can be made.

Please be assured that if any new information concerning your son's status is received, you will be notified immediately. A detailed report is being prepared at this time. You will be advised of its contents by the Casualty Division, Air Force Military Personnel Center, Randolph Air Force Base, Texas, upon completion of the report.

The adjustment to a loss such as yours cannot be made without great difficulty, but I earnestly hope that this expression of concern, which comes from every member of this wing, will in some small measure help to ease the anguish you feel. I will always consider it a privilege to provide any assistance I can for you.

Sincerely,

F.A. HUMPHREYS,  
Colonel, USAF, Commander.



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UTILIZED THEIR EMERGENCY EQUIPMENT TO SEEK ASSISTANCE. NO REPORTS OF BEEPERS OR VOICE CONTACT WERE MADE. WE HAVE ADVISED THE NOK THAT THERE WERE REMAINS AT THE CRASH SITE, IN KEEPING WITH AIR FORCE POLICY OF PROVIDING NOK ALL KNOWN INFORMATION. REQ THE CDR CAREFULLY EVALUATE ALL KNOWN INFORMATION PERTAINING TO THIS INCIDENT TO DETERMINE IF SUBMISSION OF DEATH REPORTS WOULD BE APPROPRIATE. IF STATUS CHANGE IS NOT MADE, REQ WE BE PROVIDED MORE COMPLETE INFORMATION ON WHAT WAS SEEN AT CRASH SITE AND WHAT EFFORTS ARE BEING MADE TO RE-ENTER CRASH SITE AREA TO OBTAIN FURTHER INFORMATION ON WHICH TO BASE A STATUS CHANGE.

UNCLASSIFIED

15 FEB 73

CAPTIVITY OF FOUR PILOTS									
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GROUP IS HOLDING FOUR PILOTS CAPTIVE AND THE GROUP IS REQUESTING ORDERS CONCERNING WHAT TO DO WITH THEM

Inc 1-10

11 - I

## ALL LOSS AIRCRAFT REPORT

DATE SERV	AC TYPE	TAIL NUMBER	HIT UTM	DOWN UTM	CY	PROV SOURCE	UNIT LOSS	LAT	LONG
721231	USAF								
730100	VNAF	C7	674643		VS	0	NAVY		
730100	VNAF	UH1	388		VS	0	VNAF		
730100	VNAF	UH1	7016717	Y0006706	VS	0	VNAF		
730103	USAF	B62	650056	YD846046	VS	0	VNAF		
730103	USAF	B62	650056	BU264036	OW	0	NAVY		
730104	USAF	F4	650745	WF474712	VS	0	OPERA		
730104	USAF	F4	650745	W0084363	LA	0	1977		
730104	USAF	F4	650745	X0004362	LA	0	OPERA		
730104	USAF	F4	650745	W0801160	LA	0	OPERA		
730106	USN	A7	164643	Y0848862			OPERA		
730106	VNAF	F5	6510514	YT014072	VS	0	OPERA		
730106	USA	UH1	6916619	YD324628	VS	0	1978		
730109	USAF	F4	668749	UE169208	TH	0	OPERA		
730109	USA	UH1	6916619	YD324628	VS	0	1978		
730110	USN	A6	165693	WC327003	OW	0	1979		
730110	RLAF	T28	617493		LA	0	AIRAM		
730111	USAF	A7	710316	UE497446	TH	0	OPERA		
730112	RLAF	T28	61137666		LA	0	AIRAM		
730113	USN	F4	110	P8223746	ZZ	0	OPERA		
730114	USN	F4	153068	W698746	OW	0	NAVY		
730114	AIRA	H34	143952		LA	0	AIRAM		
730116	USA	AN1	6815055	XT623621	VS	0	OPERA		
730116	VNAF	U17	000044	DP187222	VS	0	OPERA		
730116	USA	AN1	6715626	AR782889	VS	0	OPERA		
730116	VNAF	A1	134472	XT885126	VS	0	OPERA		
730117	VNAF	A1	134626				VNAF		
730118	VNAF	A1	133892	TT185166	VS	0	OPERA		
730118	VNAF	O1	6112682		VS	0	VNAF		
730118	VNAF	UH1	LO55002				VNAF		
730119	VNAF	UH1	383	Z8017121	VS	0	OPERA		
730121	USN	EKA3	142624	Z8135050	VS	0	OPERA		
730122	VNAF		607	YF266636	OW	0	1980		
730122	USN	A3	142624	YS161760	VS	0	OPERA		
730123	VNAF	UH1	6816712	W6989746	VN	0	OPERA		
730124	USN	A6	167007	BH646523	VS	0	OPERA		
730124	VNAF	O1	6107332	YE989590	OW	0	NAVY		
730125	USA	UH1	6616956		VS	0	VNAF		
730126	USN	A7	167007	BS917137	VS	0	OPERA		
730126	USA	OH6A	6607916	YD326641	VS	0	OPERA		
730127	USN	F4	166768	ZT182209	VS	0	OPERA		
730127	USAF	OV10	603806	YD307677	VS	0	NAVY		
730127	USAF	OV10	603806	YD342696	VS	0	OPERA		
730127	USA	UH1	6816278	YD32865F	VS	0	1981		
730127	VNAF	O1	6112779	ZA233492	VS	0	OPERA		
730127	NAVY	F4	166768		VS	0	VNAF		
730128	VNAF	A37	6810784	YD346650	VS	1	1982		
730128	VNAF	A37	6810802		VS	0	VNAF		
730128	VNAF	F5	6413332		VS	0	VNAF		
				BT005050	VS	0	VNAF		

Incl # 11

## ALL LOSS AIRCRAFT REPORT

DATE SERV	AC TYPE	TAIL NUMBER	HIT UTM	DOWN UTM	CY	PROV SOURCE	UNIT LOSS	LAT	LONG
730126	VNAF	O1	614956	YD326670	VS	0	VNAF		
730129	USN	F4	168361	ZG027314	ZZ	0	OPERA		
730129	USN	F4	168366	ZG027314	ZZ	0	OPERA		
730129	VNAF	O1	617476	WT640106	VS	0	VNAF		
730130	NAVY	F4	168361	ZG026314	OW	0	3088		
730131	VNAF	UH1	6916098	WRO66407	VS	0	VNAF		
730131	VNAF	UH1	6916120	XG653213	VS	0	VNAF		
730131	VNAF	UH1	6916741	BS673306	VS	0	VNAF		
730200	VNAF	O1A	618062	XT806337	VS	0	VNAF		
730200	VNAF	O1E	6112332	ZA032932	VS	0	VNAF		
730200	VNAF	O1E	6111954	ZT064770	VS	0	VNAF		
730200	VNAF	O1E	646	DP226221	VS	0	VNAF		
730200	VNAF	O1E	614711		VS	0	VNAF		
730200	VNAF	O1E	623	BH160390	VS	0	VNAF		
730200	VNAF	O1G	116913		VS	0	VNAF		
730200	VNAF	O1G	6112779	XG300420	VS	0	VNAF		
730200	VNAF	O1G	6112687	YS160887	VS	0	VNAF		
730200	VNAF	O1G	617476	WT670094	VS	0	VNAF		
730200	VNAF	O1G	956	YD336670	VS	0	VNAF		
730200	VNAF	O1E	662624	YU176090	VS	0	VNAF		
730200	VNAF	O1E	660202	CA066135	VS	0	VNAF		
730200	VNAF	UH1	6919621	WT210046	VS	0	VNAF		
730200	VNAF	UH1	6616956	BS017137	VS	0	VNAF		
730200	VNAF	UH1	6916462	BR682430	VS	0	VNAF		
730201	VNAF	A37	6714797	BR644465	VS	0	VNAF		
730201	VNAF	A37	687853	YD306496	VS	0	VNAF		
730201	USAF	F4	668703	TE674233	TH	0	OPERA		
730202	VNAF	UH1	6816245		VS	0	VNAF		
730203	VNAF	UH1	6916163	AN797076	VS	0	VNAF		
730204	USAF	C47	348636	YC143274	LA	0	NAVY		
730204	RLAF	T28	64137713		LA	0	AIRAM		
730205	USAF	C47	4348636	YC143291	LA	0	1983		
730206	RLAF	T28	64137769		LA	0	AIRAM		
730208	VNAF	UH1	6816546	YD695158	VS	0	VNAF		
730209	AIRA	C123	664374	YE809094	LA	0	1984		
730210	VNAF	UH1	6616719		VS	0	VNAF		
730210	VNAF	UH1	6719518		VS	0	VNAF		
730214	VNAF	O1	615052	XT806337	VS	0	VNAF		
730215	VNAF	UH1	6916769	XT030442	VS	0	VNAF		
730216	VNAF	A37	6810796		VS	0	VNAF		
730216	USA	CH47	6718529	XT766764	VS	0	OPERA		
730217	USAF	A7	70949	VE716199	LA	0	NAVY		
730217	USAF	A7	70949	VE823071	TH	0	OPERA		
730218	VNAF	A1	133906	XT997076	VS	0	VNAF		
730218	VNAF	UH1	6816175	AD063143	VS	0	VNAF		
730220	RLAF	T28	491744		LA	0	AIRAM		
730220	VNAF	UH1	17857		VS	0	VNAF		
730220	VNAF	UH1	6916867	YD572276	VS	0	VNAF		

5 FEB 81

MOVEMENT OF PRISONERS  
 GROUP WAS FOUR PIRATES  
 THEY ARE GOING  
 FROM 44 TO 93  
 ALONG THE ROAD.  
 THEY ARE HAVING DIFFICULTIES MOVING

T. W. F. 12/10  
 5



JOINT CASUALTY RESOLUTION CENTER  
 LIAISON OFFICE  
 AMERICAN EMBASSY  
 APO SAN FRANCISCO 96346

16 SEP 1981

1072--

FROM: JCRC-LNB

Reference: M81-019  
20 August 1981

SUBJ: Refugee Report, Caucasian Prisoners Sighted Near Son La

TO: Commander, JCRC  
Barbers Point, HI 96862

M SC SD was interviewed at 30, on 12 August 81. He stated that he was sent north for re-education in 1976, ending up at Son La in June of that year. One day in August 1976 he was on a work detail cutting bamboo in the forest at approximate location UJ 8065. SC said he saw what appeared to be six caucasians in prison clothes about 200 meters from where he was standing. They also appeared to be cutting bamboo. SC said he had a fairly good view of them for 4 or 5 minutes, and said they looked thin and weak but none appeared to have been injured. He estimated their ages to be 40 or older. SC could provide no further description or detail because of the distance and the fact that they were in a bamboo forest. The camp where SC was held was five kilometers from where this sighting took place but SC did not see any caucasians at the camp (camp location approx UJ 8060). With at the time of this sighting were a former ARVN major named "Bang" (now deceased) and two others whose names he could not recall. The camp leader was Nguyen Van Suc who doubled as re-education officer. On one occasion Suc bragged to the re-educatees that a number of Americans were still in Vietnam having chosen not to return to their country. SC did not associate this comment with the caucasians he saw, however, because the caucasians were under armed guard by at least one Cong An at the time he saw them.

AN  
 Lt Col, USAF  
 JCRC Liaison Officer


 DEFENSE INTELLIGENCE AGENCY  
 WASHINGTON, D.C. 20301

 DIA EVALUATION OF U.S. PW/MIA INFORMATION PROVIDED  
 BY VIETNAMESE REFUGEE SC

SC reported that in August 1976, while on a wood-cutting detail at a reeducation camp at Son La, he saw what appeared to be six Caucasians cutting bamboo at a location approximately 200 meters away. During the four to five minute period he observed them, the Caucasians were watched by one public security guard. Other than reporting that the men wore prison clothes, Mr. SC said the distance and dense nature of the bamboo forest precluded his providing detailed descriptions. He also stated that on another occasion the camp leader bragged to the inmates that a number of Americans were still in Vietnam, having chosen not to return to their country. SC claimed that he did not associate his sighting of the six Caucasians with the Americans mentioned by the camp leader.

Scores of former inmates of the camp system administered by Doan 776, which included the camp sites at Son La (AKA Lien Trai II), have reported that the only American present at the camp system was former name who was a low level camp cadre at Lien Trai (camp group) I.

It is likely that the camp leader's comments were prompted by his knowledge of the presence of Mr. name at Yen Bai, which was part of the Doan 776 Camp Group. Mr. SC claim to have seen six Caucasians at Son La is a fabrication, which may be based in part upon his knowledge of hearsay reports of Mr. name or on the camp leader's braggadocio.

A copy of this report and evaluation will be maintained in the DIA data base for future reference.

 DEPARTMENT OF DEFENSE  
 JOINT CHIEFS OF STAFF MESSAGE CENTER

1072--

RTTCZYUW RUEKJCS0645 2781638

ROUTINE  
R 051638Z OCT 81

FM DIA WASHINGTON DC//DI-7C//

TO USDAO BANGKOK TH//JCRC-LNO//

INFO CDR JCRC BARBERS PT HI

CINCPAC HONOLULU HI//J2/J3//

BT

SUBJ: REFUGEE REPORT - SC  
REF: JCRC-LNB SD 20 AUG 81.

1. REF PROVIDED DETAILS OF INTERVIEW OF SC WHO STATED THAT IN AUGUST 1976 HE SAW SIX CAUCASIAN PRISONERS ON A WORK DETAIL NEAR SON LA PRISON CAMP.

2. REQUEST YOU ATTEMPT TO REINTERVIEW SC AND OBTAIN ADDITIONAL DETAILS CONCERNING HIS SIGHTING. HAVE SC DRAW A MAP SHOWING THE EXACT LOCATION OF THE SIGHTING. HAVE HIM ALSO DRAW A MAP OF THE CAMP AT SON LA AND DESCRIBE THE NUMBER AND TYPES OF INMATES HELD THERE. IS IT POSSIBLE THAT THE CAUCASIANS MAY HAVE BEEN DETAINED IN HIS CAMP WITHOUT HIS KNOWLEDGE? IF NOT, CAN SC PROVIDE LOCATIONS AND NAMES OF ANY OTHER PRISON FACILITIES IN THE VICINITY OF THE SON LA CAMP?

HAVE SC PROVIDE BIOGRAPHIC INFORMATION PERTAINING TO HIS FAMILY, EDUCATION, MILITARY SERVICE, WORK EXPERIENCE, ETC. WHY WAS HE IN REEDUCATION AT SON LA AND PROVIDE DATES OF HIS INCARCERATION THERE. DID HE BRING HIS FAMILY OUT OF VIETNAM? HAVE SC PROVIDE DETAILS OF CIRCUMSTANCES SURROUNDING HIS ESCAPE FROM VIETNAM.

3. PROVIDE RESULTS OF INTERVIEW DIRECTLY TO DI-7C.  
REVW 2 OCT 87 REAS 3

BT

 ACTION DI-7C(1) DIA(1)  
 INFO DR(1) DD(1) CS(1) NMIC(1)

(D,6,F)

MCN=81278/01926 TOR=81278/1638Z TAD=81278/1808Z COSM=MI1923

PAGE 1 OF 1  
051638Z OCT 81

1072

DEPARTMENT OF DEFENSE  
JOINT CHIEFS OF STAFF MESSAGE CENTERRTTUZYUW RUMTBKA1167 3080858  
ROUTINE  
R 040857Z NOV 81

FM USDAO BANGKOK

TO DIA WASHINGTON DC//DI-7C//

INFO JCRC BARBERS PT HI  
CINCPAC HONOLULU HI//J2/J3/J36//

BT

UNCLAS BANGKOK 51167

CITE: UNCLASSIFIED 3242 NOV 81.

SUBJ: REFUGEE REPORT - SC

REF: A. JCRC-LNB LETTER REPORT, SC DATED 20 AUG 81.  
B. DIA/DI-7C MSG, DTG 051638Z OCT 81.1. REF B REQUESTED REINTERVIEW OF SUBJECT REFUGEE TO  
OBTAIN ELABORATION OF INFO PROVIDED BY REF A.2. SC DEPARTED MALAYSIA FOR THE U.S. ON  
18 SEPT 81. FORWARDING ADDRESS IS: C/O INTERNATIONAL  
SP

BT

ACTION DI-7C(1)

INFO CJCS: (1) CJCS (3) SJCS (1) J3 (5) NIDS (1) J3:NMCC (1) (U, 6, 7, F)  
J4 (4) J5 (2) SECDEF: (1) SECDEF (7) USDP (15) ASD:PA (1)  
DI-2 (1) DI-5 (1) NMIC (1) RSS (1) RSS-3B (1) SWS (1)  
AT (1) AT-X (1) DIO (1) DE (1) DB-2 (1) DB-2C (1) DB-4A (1)  
DIA (1)

MCN=81308/01321 TOR=81308/0900Z TAD=81308/0904Z

CDSN=M1A637

PAGE 1 OF 1  
040857Z NOV 81

1072

DEPARTMENT OF DEFENSE  
JOINT CHIEFS OF STAFF MESSAGE CENTERRTTUZYUW RUFHKL4000 3080245  
ROUTINE  
R 040140Z NOV 81

FM USOFFICE REF KUALA LUMPUR

TO USDAO BANGKOK

INFO JCRC BARBERS PT HI  
CINCPAC HONOLULU HI

BT

UNCLAS REF KUALA LUMPUR 4000

FOR JCRC

E.O. 12065: N/A

TAGS: SREF

SUBJ: FORWARDING ADDRESS FOR DEPARTED REFUGEES

REF: BANGKOK 50465

1. FORWARDING ADDRESSES REQUESTED IN REFTEL ARE:

(A) SC DEPARTED FOR U.S.  
18 SEP 1981 C SD  
COMMONWEALTH ED(B) NAMES - DATA  
23 JAN ST.,2. P  
BY OI  
ON 2  
19  
SO

NAMES

DATA

NAMES

DATA

3.

NA

A'

N

BT

NAMES

DATA

NAME

ACTION

INFO

(U, 6)  
CJCS: (1) CJCS (3) SJCS (1) J3 (5) NIDS (1)  
J3:NMCC (1) J4 (4) J5 (2) SECDEF: (1) SECDEF (7) USDP (15)  
ASD:PA (1) DI-2 (1) DI-5 (1) DI-7C (1) NMIC (1) RSS (1)  
SWS (1) AT-X (1) DIO (1) DE (1) DB-4A (1) DB-5 (1) DIA (1)

MCN=81308/00755 TOR=81308/0459Z TAD=81308/0455Z CDSN=M1A352

PAGE 1 OF 1  
040140Z NOV 81

1072

DEPARTMENT OF DEFENSE  
JOINT CHIEFS OF STAFF MESSAGE CENTER

10 72--

RTTUZYUW RUMTBKAO465 3061130  
ROUTINE  
R 021129Z NOV 81

FM USDAO BANGKOK

TO USOFFICE REF KUALA LUMPUR

INFO JCRC BARBERS PT HI DIA WASHINGTON DC//DI-7C//  
CINCPAC HONOLULU HI//J2/J3/J36//  
USDAO KUALA LUMPUR

BT

BANGKOK 50465

CITE 3238 NOV 81.

SUBJ: FORWARDING ADDRESSES FOR DEPARTED REFUGEES

1. THE FOLLOWING REFUGEES DEPARTED MALAYSIA BEFORE WE WERE ABLE TO ACCOMPLISH A FOLLOW-UP INTERVIEW. REQUEST YOU PLEASE CHECK THEIR FILES AND IF POSSIBLE ADVISE US OF ANY WARDING

A. SC SD 474.  
B. NAMES

2. WE ALSO HAD A REQUIREMENT TO INTERVIEW A MAN NAMED NAME DURING OUR LAST TRIP, BUT WE WERE UNABLE TO LOCATE HIM. NAME HAD NO RECORD OF SUCH A PERSON. ONLY BIO DATA PROVIDED BY DIA WAS YEAR OF BIRTH, 1947. CAN YOU SHED ANY LIGHT ON THIS PERSON? HE IS SAID TO HAVE BEEN INTERVIEWED PREVIOUSLY IN MALAYSIA BUT WE DO NOT KNOW BY WHOM.

3. WE ARE ALSO ON THE LOOKOUT FOR FORMER ARVN COLONEL NAME DOES HE APPEAR ON YOUR REFUGEE LIST? SORRY, NO BIO DATA ON HIM.

4. FYI, NEXT JCRC INTERVIEW TRIP IS TENTATIVELY PLANNED FOR LATE NOVEMBER-EARLY DECEMBER TIME PERIOD. WILL SEND PROPOSED ITINERARY SOON. MANY THANKS.  
BT

ACTION (U,6,8,F)  
INFO CJCS: (1) CJCS (3) SJCS (1) J3 (5) NIDS (1)  
J3:NMCC (1) J4 (4) J5 (2) SECDEF: (1) SECDEF (7) USDP (15)  
ASD:PA (1) DI-2 (1) DI-5 (1) DI-7C (1) NMIC (1) RSS (1)  
RSS-3B (1) SWS (1) AT (1) AT-X (1) DIO (1) DE (1) DB-2 (1)  
DB-2C (1) DB-4A (1) DIA (1)

MCN=81306/01111 TOR=81306/1129Z TAD=81306/1146Z CDSN=M14470

PAGE 1 OF 1  
021129Z NOV 81

## REPORT OF LONG DISTANT CALLS

NUMBER CALLED:

NAME  
DATA 10 72--

Include Area Code

PERSON/FACILITY CALLED:

Name

DATA

LOCATION:

DATA

City and State

PERSON PLACING CALL:

Name

NUMBER CALLED FROM:

Five Number Extension (N/A)

DATE OF CALL:

1122  
30 JUN 83

NUMBER OF MINUTES TALKED:

NO ANSWER

Accepting collect long distance calls find out the number from which the person is calling from.

Please return these call "reports" to Mr. NAME

1072--

U-4370/DC-2 / NAME / 50501/12 Jul 83/paf

SC  
SD

Dear SC

My office is responsible for collecting information on approximately 2,500 unaccounted for Americans in Southeast Asia.

We have been informed that during your stay at the SD see camp in Malaysia in 1981, you provided information which is of particular interest to us.

I would welcome the opportunity to speak with you further on this matter, in the hope of obtaining additional details, and ask that you call my office collect at (202) DATA weekdays between 8:30 a.m. and 5:00 p.m. and ask for Mrs. AN. If you prefer to speak Vietnamese, please ask for AN.

Thank you for your assistance in this humanitarian matter. I look forward to hearing from you soon.

Sincerely,

Coord Cy  
AN  
DC-2 Stayback Cy

1072--

10/02/81

ACTION  
REQ NEW  
ENTER QUERY

005 IF 2 &gt; :9999:

NUMBER OF RECORDS WHICH SATISFY YOUR REQUEST  
PMSEAS 3699

\*\*\*\*TOTAL: 3699  
ACTION  
REQ NEW  
ENTER QUERY

005 IF 10 = :VN:

NUMBER OF RECORDS WHICH SATISFY YOUR REQUEST  
PMSEAS 1077

\*\*\*\*TOTAL: 1077  
ACTION  
CIR NE  
ENTER COORDINATE NAMES.

000 ///  
11 12  
ENTER QUERY.

002 ///  
IF INSIDE CIRCLE-2.  
FOR CIRCLE-2 ENTER LATITUDE, LONGITUDE, AND RADIUS.

004 ///  
211900N, 1035400E, 25.  
OPTION? L = LIST, M = MODIFY, N = RESEQUENCE, S = SAVE, R = RUN  
R  
PROCESSING FILE \*\*PMSEAS

NUMBER OF RECORDS WHICH SATISFY YOUR REQUEST  
PMSEAS 10

\*\*\*\*TOTAL: 10  
ACTION  
DIS ANAL 1  
PROCESSING FILE \*\*PMSEAS

811001

07/03/81

1072--

PAGE 1

NAME 3 : SC ID # 2 : 1072  
 AKA 16 : 37:  
 BOAT NUMBER : SD CORRELATION 32: PROC  
 1H  
 CNTRY LOCATED 23 : MY STATE/CITY 15  
 CNTRY REPORTED 10 : VN  
 TYPE SIGHTING 46 : POW-F/H  
 1ST SIGHTING 42 : UJ800650 11 211900N 12 1035400E  
 SUBSOURCES 27 :  
 ACTIONS 51 : 810820 JCRCL M81-019  
 CURRENT ACT 45 : NEW REPORT  
 REMARKS 36 : FOLREQ & CAU PWS SONG LA 7608 ANALYST 13:  
 DATE RECEIVED 8: 810916 DATE OF INFO 33 7608  
 ACT DATE 38: 0922 0 81 ADDRESS 25:  
 ORIGIN CODE 17: B

C27015

INITIAL ANALYSIS DATA

ST	DATE	SV	RK	COORDINATES	DIST	CNTRY	ACFT	JCRC	LTIME	HT	WT	HR	LEY	COMMENTS
RR	650620	F	C 03	212000N1040800E	24.2	VN	FAC	0101	1110	68	130	BL	GR	US 730212 RELEASED BY DRV
XX	650629	F	C 04	212000N1036300E	2.5	VN	RF101C	0105	0227	71	165	BR	BL	US HIT - NO PARAKEEP-SEARCH NEG-J
RR	650828	F	C 03	211800N1033900E	7.2	VN	F103D	0130	1145	70	146	BL	GR	US 730212 RELEASED BY DRV/INJURED
BB	650829	N	C 02	211759N1035300E	3.8	VN	A1H	0131		72	165			US FINE CRASH-N PARA SEEN-J
XX	650917	F	C 02	210900N1041400E	40.0	VN	F103	0147	1145	72	187	BR	GR	US
BB	651103	F	C 03	211559N1040650E	21.4	VN	F105D	0182		68	180			US
XX	660429	F	C 03	212000N1041500E	36.2	VN	A1E	0319	1740	70	160	BR	BL	US
RR	661202	F	C 02	212000N1041500E	36.2	VN	RF-4C	0531	1010	71	180	BR	BL	US 730304 RELEASED BY DRV
RR	670916	F	C 04	212200N1033300E	3.7	VN	RF101	0836	1930	68	175	BL	BL	US 730314 RELEASED BY DRV
RR	671108	F	C 02	212000N1041800E	41.4	VN	FAC	0896	0700	67	172	BK	MA	US 730314 RELEASED BY DRV

:COURS=#

10

RECORDS REVIEWED=#

10

ADDITIONAL ANALYSIS DATA

PAGE 1

PAGE 1

1072--

C27015

UNCLASSIFIED

COURT

UNCLASSIFIED

COURT

NAMES





5 November 1981

delegation headed by Colonel Vo Dong Giang (currently deputy foreign minister) who was a delegate to the Two Party Joint Military Commission. Vo Dong Giang arrived at Long Giao to speak with former ARVN Colonel Duong Hieu Nghia who was the Chief of the RVN Delegation to the Four Party Joint Military Team (POW/MIA/affairs). In early November 1975 all officers in the grade of O-6 and O-5 were moved to Tan Hiep Prison in Bien Hoa City. The camp was called Suoi Mau by the local residents. The prison was formerly used to detain communist prisoners captured by RVNAF and allied forces. SC was certain of the status of the prison because he constructed it in 1965. One of the communist prisoners was placed in charge of the prison after the communist takeover in 1975. While in the Tan Hiep Prison SC observed two fellow inmates who were executed after an unsuccessful escape attempt. One of the inmates was Major Be, a former member of the Military Security Service. In June 1976 SC was taken by panel truck to Newport Harbor in HCM City and loaded on the Ship Song Huong for transport to North Vietnam. The ship carried approximately 1500-2000 prisoners. The ship docked at Hai Phong Harbor about 30 June 1976. SC boarded a train at Hai Phong and proceeded to Yen Bai. After arriving at Yen Bai Station, SC crossed the Red River on the Au Lau Ferry. SC then boarded a Molotova truck and was transported to Camp 1 of Joint Camp 2 at Son La. The LBN of the camp was HT4LNT (Hop Thu 41 Nong Truong). In December 1976 SC was transferred to Camp 2 of Joint Camp 2. The LBN for Camp 2 was HT42NT. The area around the camp was called Ba Khe (possible coordinates VJ 6879) and was located in Van Chan District of Hoang Lien Son Province. The camp was near a big tea processing plant called Tran Phu. In October 1977 SC was transferred to camp 4 of Joint Camp 2, LBN HT44NT. Camp 4 was located approximately 15 Km from Camp 2. SC walked from Camp 2 to Camp 4 on a red dirt road which was very narrow in some sections and contained foot bridges therefore prohibiting vehicular traffic between the camps. In December 1977 SC was moved by Molotova truck back to Yen Bai. Seven military officers, including SC, who were specialists in engineering, maintenance, pharmacy, or medical doctors, were in that group. SC was placed in Camp 7 (LBN 7NT) which belonged to Group 776 which was a divisional sized unit. Camp 7 was a detention camp for Vietnamese PWs who had been captured prior to 1975. While in the camp SC briefly observed former ARVN Colonel Tho, an Airborne Brigade Commander who was captured in Laos during operation Lam Son 719 during 1971. SC remained in Camp near Yen Bai for 10 days and then participated in a ceremony with 42 other prisoners who were being released. The group consisted of engineers, maintenance officers, pharmacists and doctors. SC speculated that the communist government was experiencing a critical shortage of skilled personnel which resulted in the release. SC boarded a train at Yen Bai in January 1978 and went to Hanoi along with the other 41 members of the group. The group accompanied by two cadre from Group 776. After arriving in Hanoi, SC and his group changed trains and proceeded to HCM City. After arriving in HCM City SC was told to return home and report the following morning to number 6 Dong Dat Street near the Gralle Hospital. After reporting the following morning the cadre who accompanied the group produced release documents issued by Group 776 for each releasee (see attached copy). Each release document was endorsed by the HCM City Security Section. SC's document indicated that he was being released on probation and would remain under the periodic supervision of HCM Security.

5 November 1981

resided at <sup>SD</sup> After returning home for approximately one month the security police arrived at his home and recommended that he move from the city to his childhood home in Sadec Province and become a rice farmer. SC told them that he would go soon, not giving any specific departure date. Approximately one month later security police returned to SC home and asked him why he had not departed HCM City. During the one month interval SC had been able to sell some of his furniture and when the security police returned he invited them in for food and beer which they consumed with gusto. The security police continued to return for a monthly visit and each time SC plied them with beer and food and treated them in a cordial manner. The security police stopped pressuring SC to move from Saigon. SC was able to find a middleman in Saigon who could arrange escapes from Vietnam. Neighbors told SC that the man could be trusted because they had relatives who had escaped with the man's help. SC paid the man three taels of gold (one for himself and one for each of his two sons who accompanied him during the escape). The man told SC to report to Ca Mau City on 12 April 1981 where SC waited until 22 April 1981 when the boat was ready to depart Vietnam. SC departed by boat at midnight on 23 April 1981. The following morning SC's boat was stopped by five boats of Thai Pirates who were armed. The Thai Pirates took all females from SC boat who were 13 to 25 years of age and began to rape them. The pirates said that they would shoot all of the children if anyone interfered. The girls who refused to submit were beaten with sticks across their legs until their legs became numb to the point that they could no longer control them. After being raped by pirates from the first boat all the girls were passed in succession to the other four boats. The girls were raped repeatedly for three days in succession. On the afternoon of the third day the West German ship NAME appeared and the pirates fled the area after dumping all the girls from SC group plus two more young girls that the pirates had kidnapped two weeks prior and who were nearly dead. SC's group was transported to the NAME on board the NAME.

During SC's years of confinement at Long Giao, Tan Hiep, Yen Bai Camp 7, Camp 1 Son La, Camp 2 Ba Khe, and Camp 4 Hoang Lien Son, SC did not ever observe any Americans. During 1977 while working in the rice fields near Ba Khe Market Nam talked with villagers passing by who claimed that they had observed a group of American PWs (did not say how many) who were being moved from Yen Bai to Son La Province. The villagers stated that two of the American's had Vietnamese wives. SC asked the villagers how could American PWs have Vietnamese wives and the villagers speculated that the two men had decided to join the communists. The villagers gave no further details concerning the Americans.

Source had in his possession an I.D. tag with RVN serial number SD and three diplomas from the U.S. Army Engineer School, Fort Belvoir, Virginia (see attached copy). Source stated that he had been awarded the Bronze Star for Valor by the U.S. Government in 1968 but that he had burned the citation prior to reeducation.

BKK LN NCO-JCRC

5 November 1981

Comments:

Copy of release document provided by source indicates that the document was issued by the Ministry of the Interior of the SRV (Bo Noi Vu) after receiving a favorable release recommendation from Group 776 of the Ministry of Defense. The directive authorizing the release from reeducation was apparently a joint directive of the Joint Ministry (Lien Bo) of the Interior and Defense.

AN

Incllosures

for AN  
MSG, USA  
BKK LN NCO-JCRC

