

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D. C. 20380

REPORT OF CASUALTY		REPORT NUMBER AND TYPE 3687-67 FINAL CRM/Adj	DATE PREPARED 29Sep67
SERVICE IDENTIFICATION (Name, Service Number, Grade or Rate, Component, Branch and Organization)		CO F 2DBN 4THMAR 3RD MARDIV (REIN) FMF APO SFRAN 96602	
1. CORPUS PLUMADORE Kenneth Leo 2256131/0311 LCPL USMC			
<input checked="" type="checkbox"/> BATTLE <input type="checkbox"/> NON-BATTLE KIA Died 21Sep67 vicinity Quang Tri Province (01) Republic of Vietnam result gunshot wounds thru and thru chest from hostile rifle fire while participating in action against hostile forces			
BODY NOT RECOVERED			
2. DATE AND PLACE OF BIRTH, RACE, RELIGIOUS PREFERENCE, AND DATE OF RECORD OF EMERGENCY DATA 28Jan49 Syracuse NY Cau C 22Oct66			
3. DATE AND PLACE OF LAST ENTRY ON ACTIVE DUTY TO CURRENT STATUS AND HOME OF RECORD AT TIME 21Feb66 Syracuse NY Syracuse Onondaga NY			
4. SOCIAL SECURITY NUMBER, PAY GRADE, LENGTH OF SERVICE FOR PAY, BASIC PAY, INSURANCE PAY 068-40-0928 E-3 Under 2 BP 121.80 HFP 65.00 FDP 9.00			5. CHECK IF APPLICABLE <input type="checkbox"/> CREW <input type="checkbox"/> NON-CREW
6. DUTY STATUS ACTIVE: On Duty			
7. INTERESTED PERSONS (Name, Address, Relationship)			
Mrs Hazel M Plumadore		124 Mayer St Syracuse NY 13208	Footnotes Moth 1
Mrs Patricia M Strauts		266 Bryant Ave Syracuse NY 13208	Sis
Mr Kenneth L Plumadore		Deceased	Fath
8. REPORT FOR NO TO FOLLOW <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		9. REPORTING OFFICER'S REPORT RECEIVED IN DEPARTMENT CG THIRD MARDIV 261535Z SEP67 RCD 26Sep67	
10. SELECTIVE SERVICE NUMBER, LOCAL SERVICELIBRARY NUMBER, HOME DATE AND PLACE OF (Last entry in Armed Services) Same As Item #4			
11. PRIOR SERVICE DATA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
12. REMARKS SGLI \$10,000.00 COVERAGE CASE REVIEWED OCT 5 1967 <i>CB</i> SRB DESTROYED BY AIRCRAFT CRASH ON 20C167 NO CLAIM FORMS SENT ADVISE THIS HEADQUARTERS OF ACTION TAKEN IN THIS MATTER. M. L. SERENIS, 1stLt, USMC			
13. FOOTNOTES: *Adult next of kin. *Beneficiaries for gratuity pay in event there is no surviving wife or child - as designated on record of emergency data. *Beneficiaries for unpaid pay and allowances - as designated on record of emergency data.			
14. DISTRIBUTION 3		15. SIGNATURE M. L. SERENIS, SECOND LIEUTENANT, USMC ASSISTANT TO HEAD, CASUALTY SECTION BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS	

The Honorable Jacob Javits
United States Senate
Washington 25, D. C.

My dear Senator Javits:

It is difficult to know how to begin this letter, or whether or not it can do any good.

Mrs. William Mackey of 141 Mooney Avenue, Syracuse, New York, a friend and co-worker of mine, told me of an incident which happened to a friend of hers just recently. Her friend is Mrs. Hazel Plumadore of Syracuse, New York, who is aware that this letter is being written.

First of all, we will give you a short background of Mrs. Plumadore. Mrs. Plumadore is a widow. Her only son, Kenneth Plumadore, was killed in Viet Nam on or about September 21, 1967. Upon learning of her son's death, Mrs. Plumadore suffered a severe heart attack.

On May 30, 1968 Kenneth Plumadore was awarded the Bronze Star posthumously, and it was on this date that his mother finally was able to accept the fact that her son was dead.

During the week of July 15, 1968, Mrs. Plumadore went to the Three Rivers Inn, which is just outside of Syracuse, New York. They were featuring Mr. Peter Hurkos. Mr. Hurkos is, supposedly, an expert in extrasensory perception.

Mrs. Plumadore was on the stage with Mr. Hurkos, and gave him a picture of her son, face down. Mr. Hurkos identified the picture as her son, and told her that she thought her son was dead.

He then told Mrs. Plumadore the injuries her son received, which were chest, shoulder and leg wounds. He told her that his buddies left him in the belief that he bled to death.

Mr. Hurkos described to Mrs. Plumadore a ring that her son was wearing, a ring that she had given to him just before he went into the Marine Corps.

He told her that her son had called out to a person named John that he had been hit, and asked him to help, and that this person (John) would be able to tell her that.

Then Mr. Hurkos proceeded to tell Mrs. Plumadore that her son was alive. He said that his buddies left him for dead, but that he was not dead. He told her that his body was found by the Chinese, taken to China, and that he was in a prison camp there.

(CON'T.)

Mr. Hurkos said that he could see Kenneth Plumadore walking with iron shackles on his hands and feet in the prison camp in China.

Mrs. Plumadore was, understandably, shaken.

After the show, Mrs. Plumadore made an appointment to have a private reading, and this was scheduled for July 22, 1968. The private readings are for one-half hour, and the cost is \$50.00.

On July 19, 1968 Mrs. Plumadore called her Congressman, Representative James Hanley. He went to her home and talked with her, and told her that he would check on Mr. Hurkos, and make every effort to find out the truth.

On July 22, 1968 Mrs. Plumadore sent her daughter, Patricia, to the private reading, as she was somewhat fearful of going herself.

At the private reading, Mr. Hurkos reiterated that Kenneth Plumadore was alive, and a prisoner in a Chinese prison camp.

We realize that Representative Hanley will do all he can, and we are writing to you, as well as to several others, in hopes that better results can be obtained.

What we expect to gain by this letter is an investigation into Mr. Hurkos' statements, because we feel that this is a dreadful experience for any person to undergo.

We do understand the implications of any American serviceman being held prisoner in China, and the consequence of same.

Also, would you kindly inform us if there is anything that we, as private American citizens, can do in a situation of this type.

Thanking you in advance for anything you may be able to do, we remain

Very truly yours,

Winifred A. Keogan

(Miss) WINIFRED A. KEOGAN

and

Etta Mackey

ETTA MACKEY
Mrs. William Mackey

P.S. Also, in passing, we would like to inform you that neither Kenneth Plumadore's body, nor his personal effects, were ever recovered.

Congress of the United States
House of Representatives
 Washington, D.C. 20515

August 20, 1968

Mrs. Hazel Plunadore
 124 Mayar Street
 Syracuse, New York, 13209

Dear Mrs. Plunadore:

In the temporary absence from this office of The Congressman during the recess of the Congress, I am taking the liberty of sending you the enclosed report.

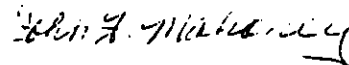
In view of your unsettling experience with Mr. Peter Herkos, I requested the Marine Corps Headquarters to check all available prisoner of war lists and as you can see your son's name was never listed.

I hope that this report will help to confirm the situation and will help to alleviate your doubts and anxieties as a result of your conversation with Mr. Herkos.

If there is any further manner in which this office may be helpful to you, do let us know.

With warmest regards, I remain

Sincerely yours,



John F. Mahoney
 Administrative Assistant

Encs
 Enclosure

19 AUG 1968

Honorable James M. Hanley
 House of Representatives
 Washington, D. C. 20515

Dear Mr. Hanley:

This is in further reply to your letter of 23 July 1968 regarding the late Lance Corporal Kenneth L. PLUMADORE, 2256131, U. S. Marine Corps.

A review of the records on file at this Headquarters reveals that Lance Corporal Plumadore died on 21 September 1967, in the vicinity of Quang Tri Province, Republic of Vietnam. He sustained gunshot wounds to the chest as the result of rifle fire while engaged in action against hostile forces. During a battalion search and destroy mission, the battalion came under intense rifle and mortar fire from a numerically superior force inflicting heavy casualties. The companies withdrew from the conflict and a number of dead and wounded were removed by available personnel; however, Lance Corporal Plumadore's remains were among those that were not recovered. Attempts to recover his remains were continued.

Personal notification of the above was made to Mrs. Plumadore by a Marine Corps Representative from the Inspector-Instructor Staff, 4th Tank Battalion, U. S. Marine Corps Reserve, Syracuse, New York, followed by a telegram from General Greene, released on 27 September 1967, confirming the information previously provided.

Mrs. Patricia M. Statts, sister of Lance Corporal Plumadore, was also informed by a telegram from General Greene, on 27 September 1967.

On 17 October 1967, additional remains were recovered and positively identified. It is regretted, however, that Lance Corporal Plumadore's remains were not among those recovered.

Due to the heavy exchange of fire between hostile and friendly forces that prevailed during that encounter, it was determined that several remains were consumed by the artillery and air supporting weapons fire and further recovery efforts would prove fruitless.

Mrs. Plumadore's patience and forbearance during these trying times are appreciated and she may be assured that the Marine Corps continually strives to do all that is possible to alleviate the suffering and anxieties endured by the families of our Marines, especially so, in instances such as these.

Throughout the course of the hostilities in Vietnam, the American National Red Cross, working through the International Committee of the Red Cross and other avenues, has explored every possible means to establish communication and a basis for discussion with the North Vietnamese and the National Liberation Front regarding the prisoner of war question. Thus far, their efforts have produced extremely limited results.

The records of this Headquarters and other government sources regarding prisoners of war in Vietnam do not reveal the name of the late Lance Corporal Plumadore as ever having been a prisoner of war in Vietnam.

As a matter of information, the President posthumously awarded Lance Corporal Plumadore the Bronze Star Medal with combat "v" for his heroic achievement during the encounter that took his life. The citation reads as follows:

"For heroic achievement while serving as a Rifleman with Company F, Second Battalion, Fourth Marines, Third Marine Division (Reinforced), in the Republic of Vietnam on 21 September 1967, Lance Corporal Plumadore was a member of a squad conducting a sweep when a barrage of devastating fire was delivered upon the unsuspecting Marines, inflicting many casualties. Immediately, with complete disregard for his own safety, he went to his seriously wounded squad leader to render medical aid. After dressing the wounds of his squad leader, he began moving, under the hail of deadly enemy fire, to aid other wounded Marines, until he was hit by enemy fire and

mortally wounded. By his dauntless courage, initiative and selfless efforts in behalf of his fellow Marines, Lance Corporal Plumadore served to inspire all who observed him and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

On 24 April 1968, the above medal and citation were forwarded to the Director, 1st Marine Corps District in New York for presentation, at an appropriate ceremony, to Mrs. Plumadore.

Information received at this Headquarters confirms that all of Lance Corporal Plumadore's personal effects, which were located in Vietnam or stored on Okinawa, were shipped to Mrs. Plumadore and receipted for by her, on 4 January 1968.

The above information has also been provided the Honorable James M. Hanley in response to his letter of 22 July 1968.

Your interest in matters pertaining to Marine Corps personnel is appreciated and I trust that the foregoing information will be of assistance to you.

Sincerely,

LAWRENCE F. SNODDY, Jr.,
Colonel, U.S. Marine Corps
Assistant Director of Personnel



UNITED STATES MARINE CORPS
INSPECTOR-INSTRUCTOR STAFF
COMPANY B (REIN)
8TH TANK BATTALION, FMF, USMC
MARINE CORPS RESERVE TRAINING CENTER
P.O. BOX 38, EAST MOLLOY & TOWNLINE ROAD
SYRACUSE, NEW YORK 13211

IN REPLY REFER TO:
3040
ADMIN
26 Feb 1986

From: Inspector-Instructor
To: Commandant of the Marine Corps (Code MHP-10), Headquarters, U.S.
Marine Corps, Washington, D. C. 20380
Subj: LANCE CORPORAL PLUMADORE, KENNETH L. SER# 2256131/0311 USMC; CASUALTY
ASSISTANCE OF NEXT OF KIN OF UNACCOUNTED FOR MARINE CASE OF
Ref: (a) CMC ltr MHP-10-3 over 3040 dtd 15Jan86
Encl: (1) CACO Fact Sheet
(2) Optional Disclosure Form signed by Miss Patricia Plumadore

1. In accordance with the reference, the unit's casualty assistance officer con-
tacted and visited Miss Patricia Plumadore the sister of Lance Corporal PLUMADORE.
She confirmed the information stated on the fact sheet (enclosure (1)) and informed
this officer that her mother Mrs. Hazel Plumadore lived at that address but was
currently in poor health and being hospitalized. Miss Plumadore also at that time
filled the Optional Disclosure Form (enclosure (2)). She also was given a copy
of the DD Form 1300 of her brother. The MIA booklet and change of address
card was also left with her.

2. Point of contact for this unit is Captain D. W. CARLSON commercial (315)
454-9577.

D. W. Carlson
D. W. CARLSON

Copy to: 1st MCD, Garden City, LI, NY Casualty Section

U.S. NAVAL ACADEMY ALUMNI ASSOCIATION
ALUMNI HOUSE, ANNAPOLIS, MARYLAND 21402-5068
3 April 1991

JAMES W. HAMMOND, JR.
COLONEL U.S.M.C. (RET)
DIRECTOR OF PUBLICATIONS
(301) 283-4400

Dear Miss Plumadore,

Your letter was waiting for me at home when we returned
from Camp Pendleton, California. We had been out there
visiting our daughter-in-law and grandson. My son is "out
of town." He is a captain of Marines. His brother is a
pilot in the Far East.

I ask your indulgence in my typing this. It is not
because I am too lazy to write but rather that my hand-
writing is not the -asiest to read and I find I type much
better than I write.

I have enclosed two items which will give you some
feeling for what occurred on 21 September 1967 and on
other days as well. I sense that you would like to know
of some of your brother's experiences. Since I had
almost 1,000 Marine in the battalion, I did not know
all of them. I did not know your brother. I did not know
LCpl. Barker although his older brother and I had been
captains together.

I am disturbed by your statement that your brother's
body was not recovered. To my knowledge all dead were
recovered when we subsequently returned to the enemy
position. I am going to try to contact the Company F
Commander who I last heard of in Quantico and one of
the lieutenants in the Company who my son told me was in
Camp Pendleton at the beginning of the year. When I do
I will be in contact with you again.

This is pretty skimpy information but I wanted to get
my reply off to you as quickly as possible inasmuch as
it was delayed by my being away when it arrived.

It may be extremely belated to offer my deepest
sympathy and sorrow at you loss but believe me it is
sincere.

Sincerely,

JWH
James W. Hammond, Jr.

Congress of the United States
House of Representatives
 Washington, DC 20515

July 11, 1991

Ms. Pat Plumadore
 616 Plymouth Dr.
 Syracuse, New York 13206

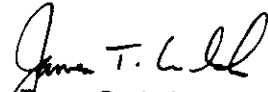
Dear Ms. Plumadore,

I have just been notified by Capt. Scarboro, Congressional Liaison for the United States Marine Corps, that they are investigating the official status of your brother's casualty listing. They will notify me of the results when completed.

I will contact you as soon as I receive information. In the meantime, if you have any questions please contact my district director, John McGuire, at tel. 423-5657.

Best wishes.

Sincerely,


 James T. Walsh
 Member of Congress



DEPARTMENT OF THE NAVY
 HEADQUARTERS UNITED STATES MARINE CORPS
 WASHINGTON, D.C. 20380-0001

The Honorable James T. Walsh
 Member, United States House of
 Representatives
 P.O. Box 7306
 Syracuse, NY 13261-7306

Attention: John McGuire

Dear Mr. Walsh:

This responds further to your letter of June 20, 1991, concerning the late Lance Corporal Kenneth L. Plumadore, U.S. Marine Corps.

Lance Corporal Plumadore was never listed as missing in action. His official status is, and has been, killed in action/body not recovered. The symbol after his name on the Vietnam Veterans Memorial indicates that Lance Corporal Plumadore's remains were never recovered, but his death was confirmed.

Lance Corporal Plumadore's death occurred on September 21, 1967, in the vicinity of Quang Tri Province, Republic of Vietnam, when he sustained gunshot wounds to the chest as the result of rifle fire while engaged in action against hostile forces. During a search and destroy mission, Lance Corporal Plumadore's unit came under intense rifle and mortar fire from a numerically superior force and suffered heavy casualties. The unit withdrew from the conflict, and a number of dead and wounded were removed by available personnel. Regrettably, Lance Corporal Plumadore's remains were not among those recovered, nor were they among remains later recovered from the area. Due to the heavy exchange of fire between hostile and friendly forces, it was determined that the remains of several Marines had been consumed by artillery and air supporting weapons fire, and that further recovery efforts would have proven fruitless.

Lance Corporal Plumadore's sister, Patricia, was notified of his death and that his remains had not been recovered by telegram on September 27, 1967. His mother received personal notification by a Marine Corps representative, followed by a telegram.

As a matter of information, the President posthumously awarded Lance Corporal Plumadore the Bronze Star Medal with combat "V" for his heroic achievement during the encounter that took his life.

I regret a more favorable reply cannot be provided, and hope this information will be of assistance to you.

Sincerely,



L. E. WOOD
Head, Special Correspondence
Manpower and Reserve Affairs
Department
By direction of the Commandant
of the Marine Corps



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

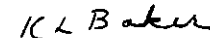
Miss Patricia Plumadore
616 Plymouth Drive
Syracuse, NY 13206

Dear Miss Plumadore:

In keeping with the U.S. Government policy of passing on to the next of kin of missing or unaccounted for servicemen any information received, the attached information regarding your Brother, the late Lance Corporal Kenneth L. Plumadore, U.S. Marine Corps is provided. We will keep you informed of any actions resulting from this information.

If you have any questions regarding this material, please contact Gunnery Sergeant Ernesto Bent of Headquarters, U.S. Marine Corps at (703) 696-2069.

Sincerely,



K. L. BAKER
Captain, U.S. Marine Corps
Administrative Officer
Casualty Section
Personal Affairs Branch
Human Resources Division
By direction of
the Commandant of the Marine Corps

Encl:
(1) JCRC report of February 1992



JOINT TASK FORCE FULL ACCOUNTING
NAS BARBERS POINT, HAWAII 96862

CASE 0839-0-01

NARRATIVE

ON 21 SEPTEMBER 1967, LANCE CORPORAL KENNETH L. PLUMADORE, COMPANY F, 2D BATTALION, 4TH MARINE REGIMENT, 3RD MARINE DIVISION, WAS WOUNDED DURING COMBAT WITH PEOPLES ARMY OF VIETNAM FORCES IN THE VICINITY OF GRID COORDINATES YD113699, APPROXIMATELY 14 KILOMETERS NORTHWEST OF DONG HA, QUANG TRI PROVINCE. DUE TO THE INTENSE HOSTILE FIRE, HIS UNIT WAS FORCED TO WITHDRAW LEAVING LANCE CORPORAL PLUMADORE AND FOURTEEN OTHER SOLDIERS BEHIND. ON 10 OCTOBER 1967, THE AMERICAN FORCES RETURNED TO THE BATTLE AREA AND RECOVERED THE REMAINS OF 14 INDIVIDUALS. AMERICAN FORCES LEARNED THAT PAVN FORCES CAPTURED THE 15TH INDIVIDUAL AND TOOK HIM AWAY IN THE DIRECTION OF VINH LINH. ON 19 APRIL 1986, VIETNAM RETURNED THE REMAINS OF A PERSON PURPORTEDLY CAPTURED DURING THE SAME ENGAGEMENT IN WHICH LANCE CORPORAL PLUMADORE WAS LOST. HOWEVER, THE REMAINS WERE NOT THOSE OF LANCE CORPORAL PLUMADORE.

PERTINENT DATA ARE AS FOLLOWS:

NAME: PLUMADORE, KENNETH LEO
RANK: LANCE CORPORAL, U.S. MARINE CORPS
DATE OF BIRTH: 28 JANUARY 1949
RACE: CAUCASIAN
HEIGHT: 1.85 METERS
WEIGHT: 80.2 KILOGRAMS
HAIR: BROWN
EYES: HAZEL



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

The Honorable James T. Walsh
Member, United States House of
Representatives
P.O. Box 7306
Syracuse, NY 13261-7306

AUG 24 1992

Attention: John McGuire

Dear Mr. Walsh:

This responds further to your letter of July 8, 1992, to General C. E. Mundy, Jr., concerning the late Lance Corporal Kenneth L. Plumadore, U.S. Marine Corps. I am answering on behalf of General Mundy.

No evidence exists in Lance Corporal Plumadore's Marine Corps casualty file to suggest that his death did not occur on September 21, 1967, on the battlefield near Con Thien, Republic of Vietnam. Lance Corporal Plumadore was never listed as missing in action. His official status was, and is, killed in action (KIA)/body not recovered (BNR).

On September 21, 1967, Lance Corporal Plumadore was serving with Company F, 2d Battalion, 4th Marines. During a search and destroy mission near Con Thien, the battalion suffered heavy casualties when it came under intense mortar, small arms, and heavy machine-gun fire. In the early stages of this attack, Lance Corporal Plumadore received a mortal "through and through" chest wound at extremely close range. The intensity of the battle forced the battalion to withdraw from the conflict. During the withdrawal, a number of dead and wounded were removed from the area, but Lance Corporal Plumadore's remains were not among those recovered. He was one of 15 KIAs left behind. Subsequently, U.S. mortar, artillery, and air strikes were called in on the enemy position.

On October 10, 1967, the battalion mounted an operation to recover its dead from the battlefield. Of the 15 Marines left behind, only 14 sets of remains were recovered. Though all were severely mutilated or dismembered, 12 of the remains were immediately identifiable, while the other two were problematic. Neither, however, proved to be those of Lance Corporal Plumadore, and it was thus concluded that his remains had been consumed by exploding ordnance on the battlefield. His status was appropriately listed as KIA/BNR, and his family was so notified.

The first indication that someone may have survived that battle did not occur until April 10, 1986, when the Socialist Republic of

Vietnam (SRV) returned a set of remains to U.S. control. The SRV indicated that the deceased had been captured near Con Thien on September 21, 1967, and had expired in a field hospital on September 27, 1967. After investigating the matter, the Defense Intelligence Agency (DIA) concluded that a U.S. serviceman probably had been captured near Con Thien on September 21, 1967, had been moved out of the area, and died a few days later in an enemy hospital.

The Central Identification Laboratory in Hawaii (CILHI) also conducted an investigation. To date, the CILHI has not identified the repatriated remains, but it has determined that they are not those of Lance Corporal Plumadore. The remains are those of a shorter, older individual, and the teeth did not match.

Unfortunately, the Marine Corps did not inform Lance Corporal Plumadore's family of the foregoing, nor did we document this development in his records. This was not in keeping with our policy of providing all material information concerning KIAs to the next of kin, and I regret the difficulties the Plumadores have experienced as a result of our error.

Questions remain concerning the historical information concerning the battle in which Lance Corporal Plumadore was killed and the subsequent recovery effort. Clearly, the battalion was not aware that an individual had purportedly survived and been captured by the enemy when the command chronologies were written. In those chronologies, total KIAs included BNRs. The historical account of the recovery effort is based on the comments of the battalion commander, and it is his opinion that all remains were recovered. While it is most certainly Marine Corps policy to recover our dead, the battalion commander's knowledge of the recovery effort may not be first hand, and it is not consistent with the SRV's account of the repatriated remains.

In 1991, the Joint Task Force-Full Accounting (JTF-FA) created documents for use in negotiating with the SRV. These documents, or narratives, were the U.S. Government's "current focus" cases, or those the Government believes the SRV should have some knowledge of. Lance Corporal Plumadore's case was one of more than 40 Marine Corps cases that met the criteria of a "current focus" case. The narratives concerning these cases were supposed to contain factual historical data only, which had already been provided to the families of the individuals. This was not true in the case of Lance Corporal Plumadore. Some of the information pertaining to him was erroneous, and some had not previously been provided to his family.

The JTF-FA delivered copies of the narratives to the Casualty Section of this Headquarters, requesting that we forward them to the concerned family members. Regrettably, because of the urgency of the delivery requirement and the volume of information, the details of each case were not confirmed. Ms. Patricia Plumadore received a copy of the JTF-FA report with our letter of May 28, 1992. This was her first indication that someone may have survived the battle in which her brother was reportedly killed. I truly regret the renewed grief Ms. Plumadore has experienced as a result of this information.

On June 10, 1992, Ms. Plumadore telephoned our Casualty Section and spoke with Captain Brian Bohman, who agreed to try to find answers to her many questions. He has maintained contact with her by telephone and in person at the National League of Families Conference held in Washington, DC, from July 23 through 27, 1992. On Ms. Plumadore's behalf, Captain Bohman reviewed DIA, JTF-FA, and CILHI files, as well as other available data concerning Lance Corporal Plumadore, and provided her with the results of his research. During Ms. Plumadore's visit to Washington, she reviewed her brother's records and other pertinent unclassified data, and expressed satisfaction with the Marine Corps efforts to respond to her concerns. Captain Bohman remains ready to assist Ms. Plumadore should she have any additional questions or require further assistance.

Your concern on behalf of Ms. Plumadore is appreciated. I trust this information will be of assistance to you.

Sincerely,



M. T. COOPER
Lieutenant General
U.S. Marine Corps
Deputy Chief of Staff
for Manpower and
Reserve Affairs



DEPARTMENT OF THE ARMY
 UNITED STATES ARMY CENTRAL IDENTIFICATION LABORATORY, HAWAII
 FORT KAMEHAMEHA, BLDG #5
 HICKAM AFB, HAWAII 96863-5000



TAPC-PED-H (600-8-1m)

29 October 1992

MEMORANDUM FOR Head, Personal Affairs Branch, Headquarters,
 United States Marine Corps, Washington, DC
 20380

SUBJECT: Questions Posed by the Family of the late Lance
 Corporal Kenneth L. Plumadore

1. I regret the delay in responding to your letter 1040, MHP-10, dated Jul 30, 1992, which posed questions by the family of the late Lance Corporal Kenneth L. Plumadore. We have been attempting to acquire all the antemortem and mortuary records for the 14 Marines who were killed in the Con Thien incident and whose remains were subsequently recovered. The records of two of those 14 are incomplete, and thus far our efforts to locate additional records for them have been unsuccessful. When additional records are found, we will provide updated comments as warranted.

2. The records we maintain for L/Cpl Plumadore as well as the mortuary files for his 14 fellow marines were reviewed by my scientific staff in the context of providing answers to those questions. The files contain only a few documents, and therefore some answers cannot be more specific than provided herewith.

3. Question a: What methods were used to identify the 14 sets of remains recovered in the Con Thien incident?

Answer a: Examination of the mortuary records indicates that the remains were identified by either comparing the available antemortem dental records and radiographs with postmortem findings of the dentition and/or comparing antemortem physical characteristics with postmortem physical characteristics and/or skeletal analysis.

Question b: What was the condition of each set of remains? (decomposed, badly decomposed, skeletal, etc.)

Answer b: The files indicate that the remains were skeletal.

Question c: How badly traumatized was each set of remains?

Answer c: Since the remains were skeletal, it is not possible to determine the true extent of soft tissue trauma. The records of five of the remains indicate bone fractures were observed. The death certificates prepared at the time indicate all had died from enemy fire.

TAPC-PED-H (600-8-1m)

29 October 1992

SUBJECT: Questions Posed by the Family of the late Lane
 Corporal Kenneth L. Plumadore

Question d: What, in your opinion, is the likelihood that remains were commingled?

Answer d: Only one file documents commingling; that being the distal (lower) ends of two lower leg bones.

Question e: How complete was each set of remains?

Answer e: Ten of the remains were relatively complete (75-100% present); one remains was one-half or less complete; one was only approximately 25% complete; two of files did not contain any documentation pertaining to the degree of completeness.

Question f: Based on current science, what is your opinion of the process used to identify the 14 sets of remains?

Answer f: Techniques used by the mortuary were those in common usage in the forensic community at that time. A new technique, mitochondrial DNA analysis, which was used in developmental stages during Desert Storm and now in limited cases by CILHI, was not available during the Vietnam War era.

Question g: In your opinion, is it likely that a mistake was made in the identification process.

Answer g: Nothing was detected during the examination of the available files to suggest a mistake was made in the identification process. When additional records are received, we will carefully review them from this aspect.

Johnnie E. Webb, Jr.
 JOHNNIE E. WEBB, JR.
 LTC, QM
 Commanding



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

Miss Patricia Plumadore
616 Plymouth Drive
Syracuse, NY 13206

Dear Miss Plumadore,

This letter is to inform you, as the primary next of kin, of actions taken by the Department of Defense to account for your missing brother, LCpl Kenneth L. Plumadore, USMC, a priority case for investigation over many years, but particularly since 1988.

As you may know, General John W. Vessey, Jr. has focused extensively on obtaining answers to questions about Americans believed to be or last know to be in captivity or alive in close proximity to hostile forces.

Significant effort has been made to obtain greater cooperation from Vietnamese and Lao officials to obtain convincing evidence about the fate of these missing Americans. These cases, referred to as last know alive (LKA) discrepancy cases, numbered 196 prior to March 1992.

Joint Task Force-Full Accounting (JTF-FA) and other agencies within the Department of Defense undertook an intensified program of field activities to aggressively pursue resolution of the discrepancy cases with the Vietnamese. Evidence to confirm death on 61 of the LKA discrepancy cases was obtained prior to the March 1992 Solomon delegation to Vietnam, reducing the number of LKA discrepancies to 135.

With the initial investigations of the 135 cases completed in January of this year, JTF-FA and the Defense Intelligence Agency's (DIA) Special Office for POW/MIA Affairs convened to assess the evidence obtained during the investigations. As a result of their joint assessment, they recommended that there were convincing evidence that death had occurred in 43 of the 135 remaining cases.

A policy-level Defense Department review of the JTF-FA/DIA assessments was then conducted. This second review concurred with the JTF-FA/DIA recommendations on the 43 cases. On April 19, 1993, General Vessey returned to Vietnam at the request of President Clinton and informed senior Vietnamese officials that further investigation was required in the remaining 92 LKA discrepancy cases. He also informed them of the need to repatriate the remains of the 104 Americans for whom death had been confirmed, but whose remains have not been recovered, or to

provide convincing evidence that their remains were unrecoverable.

In the 92 remaining LKA discrepancy cases, addition efforts are required, as they are on all of the other missing Americans. These 92 cases, however, will be pursued as the focus of a new small team concept, the Priority Case Investigation Team (PCIT), agreed to by the Vietnamese as a result of General Vessey's April meeting. The PCIT will be comprised of Americans representing JTF-FA and DIA and Vietnamese representatives from the Vietnamese Office for Seeking Missing Persons. This joint team will pursue the 92 cases continuously via archival research, witness interviews, and other investigative methods. If excavation of a grave site is necessary, it will be undertaken during regularly scheduled joint field activities.

The case of your brother is one of the 92 remaining priority LKA discrepancy cases to be investigated by the PCIT. The PCIT was formed to focus a full time priority effort on these cases in Vietnam. The other 104 of the original 196 cases, as are all other cases of unaccounted for Americans, are still open with hopes that further information concerning the whereabouts of each individual's remains will become available through joint field activity, archival research, or witness interview. We will ensure that you are informed of developments as they occur.

The United States Government position on all missing Americans is that no case is closed until we have found and returned the missing American alive, received and identified his remains, or obtained convincing evidence as to why neither of the first two conditions is possible. This is the official United States Government definition of accountability. It is one we believe should be reassuring to all family members.

Toward that end, we will continue our efforts as a matter of highest national priority until our shared goal is achieved.

Sincerely,

D. J. GRECO
Major, U.S. Marine Corps
Head, Casualty Section
Personal Affairs Branch
Human Resources Division
By direction of the
Commandant of the Marine Corps



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

Miss Patricia Plumadore
616 Plymouth Drive
Syracuse, NY 13206

Dear Miss Plumadore:

The enclosed report is a copy of information concerning your brother, LCpl Kenneth L. Plumadore, U.S. Marine Corps, that has been provided to the Vietnamese government.

The information is passed to the Vietnamese government in preparation for future investigations. This will allow them to assist in the investigation by locating witnesses, arranging permission from local village chiefs to visit sites, etc.

The Marine Corps is not notified of the date of the planned investigation. There are many factors which may necessitate rescheduling, such as weather, local political climate, equipment availability, etc.

Once the investigation has been done, we will receive a report of the findings to be provided to you as Primary Next of Kin. Please be assured that when the report is received, it will be forwarded to you immediately.

If you have any questions, please feel free to contact us. An envelope is provided for your convenience.

Sincerely,

A. HAMMERS
Assistant Head
Casualty Section
Personal Affairs Branch
Human Resources Division
By direction of the
Commandant of the Marine Corps



JOINT TASK FORCE - FULL ACCOUNTING
CAMP H. M. SMITH, HAWAII 96861-5025

CASE 0839-0-01

NARRATIVE

ON 21 SEPTEMBER 1967, LANCE CORPORAL KENNETH L. PLUMADORE, COMPANY F, 2D BATTALION, 4TH MARINE REGIMENT, 3RD MARINE DIVISION, WAS WOUNDED DURING COMBAT WITH PEOPLES ARMY OF VIETNAM FORCES IN THE VICINITY OF GRID COORDINATES YD133699, APPROXIMATELY 14 KILOMETERS NORTHWEST OF DONG HA, QUANG TRI PROVINCE. DUE TO THE INTENSE HOSTILE FIRE, HIS UNIT WAS FORCED TO WITHDRAW LEAVING LANCE CORPORAL PLUMADORE AND FOURTEEN OTHER SOLDIERS BEHIND. ON 10 OCTOBER 1967, THE AMERICAN FORCES RETURNED TO THE BATTLE AREA AND RECOVERED THE REMAINS OF 14 INDIVIDUALS. AMERICAN FORCES LEARNED THAT PAVN FORCES CAPTURED THE 15TH INDIVIDUAL AND TOOK HIM AWAY IN THE DIRECTION OF VINH LINH.

ON 19 APRIL 1966, VIETNAM RETURNED THE REMAINS OF A PERSON PURPORTEDLY CAPTURED DURING THE SAME ENGAGEMENT IN WHICH LANCE CORPORAL PLUMADORE WAS LOST. HOWEVER, THE REMAINS WERE NOT THOSE OF LANCE CORPORAL PLUMADORE.

DURING JUNE AND JULY 1992, A JOINT TEAM INVESTIGATED THIS CASE IN GIO LINH DISTRICT, QUANG TRI PROVINCE. THE TEAM INTERVIEWED THREE WITNESSES. THE FIRST WITNESS PROVIDED HEARSAY INFORMATION CONCERNING THE BURIAL OF AN AMERICAN WHO DIED FROM AN ATTACK BY A U.S. AIRCRAFT SUBSEQUENT TO HIS CAPTURE. THE WITNESS WAS UNABLE TO PROVIDE ANY FURTHER INFORMATION CONCERNING THE AMERICAN OR THOSE WHO PARTICIPATED IN HIS ALLEGED BURIAL. THE TEAM WAS UNABLE TO SURVEY THE LOCATION INDICATED BY THE WITNESS DUE TO THE PRESENCE OF UNEXPLODED ORDNANCE.

Passed to officials of the Vietnamese government during a 9-10 Jun 93 coordination meeting in

CASE 0839-0-01

THE TEAM ALSO INTERVIEWED TWO WITNESSES FURNISHED INFORMATION ABOUT THE DEATH OF 14 AMERICANS AND THE CAPTURE OF AN ADDITIONAL AMERICAN DURING A BATTLE IN 1966. ONE WITNESS REPORTED HE AND TWO OTHERS WERE EVACUATING THE WOUNDED AMERICAN WHEN THEY CAME UNDER ATTACK BY U.S. AIRCRAFT. THEY PLACED HIM IN A CULVERT AND TOLD HIM TO HIDE UNTIL THEY RETURNED. WHEN THEY RETURNED, THEY SAW THE CULVERT HAD SUSTAINED A DIRECT HIT AND WAS COMPLETELY DESTROYED. THE WITNESS BELIEVED THE AMERICAN HAD BEEN KILLED DURING THE AIR STRIKE WHEN THE CULVERT WAS DESTROYED. THE OTHER WITNESS LAST SAW THE WOUNDED AMERICAN BEING LED AWAY TO THE HEADQUARTERS OF THE K8 UNIT. THE TEAM SURVEYED THE SITE WHERE THE AMERICAN ALLEGEDLY PERISHED BUT FOUND NO REMAINS. THE TEAM ALSO VISITED THE INCIDENT LOCATION AND SAW NO SIGNS OF A FORMER MILITARY BASE OR THE BATTLE THAT ONCE OCCURRED AT THIS LOCATION.

PERTINENT DATA ARE AS FOLLOWS:

NAME: PLUMADORE, KENNETH LEO
 RANK: LANCE CORPORAL, U.S. MARINE CORPS
 DATE OF BIRTH: 28 JANUARY 1949
 RACE: CAUCASIAN
 HEIGHT: 1.85 METERS
 WEIGHT: 80.2 KILOGRAMS
 HAIR: BROWN
 EYES: HAZEL



DEPARTMENT OF THE NAVY
 HEADQUARTERS UNITED STATES MARINE CORPS
 2 NAVY ANNEX
 WASHINGTON, DC 20380-1775

Miss Patricia Plumadore
 616 Plymouth Dr.
 Syracuse, NY 13206

Dear Miss Plumadore,

Per our telephone conversation of last week, enclosed is a copy of the response from the Central Identification Lab in Hawaii in reply to questions you posed to Mr. Ross, DPMO.

We have also inquired from the Joint Task Force - Full Accounting (JTFFA) as to whether there are any 1993 documents in Lance Corporal Kenneth L. Plumadore's case. They reviewed the case and informed us that the only 1993 document is the narrative previously sent to you.

A thorough review of your brother's records, held here at the Casualty Section, has been completed. A copy of the 1986 letter from us to the I-I Staff in Syracuse was not found. We contacted the I-I Staff in Syracuse and they do not have a copy either. We do, however, have a copy of their response to that letter. Based on the contents of that response, we have determined that the letter in question tasked the I-I Staff with the responsibility of acting as Casualty Assistance Officer (CAO) for Lance Corporal Plumadore.

We regret that we are unable to provide you with the document you requested. In the event we are able to locate it, please be assured you will be provided as copy immediately.

Sincerely,

A. HAMMERS
 Assistant Head
 Casualty Section
 Personal Affairs Branch
 Human Resources Division
 By direction of the
 Commandant of the Marine Corps



JOINT TASK FORCE - FULL ACCOUNTING
CAMP H. M. SMITH, HAWAII 96861-5025

To: Commandant of the Marine Corps (MHP-10), Headquarters
U.S. Marine Corps, 2 Navy Annex, Washington, DC 20380-1775

Subj: NOK REQUEST FOR INFORMATION CONCERNING REFNO 0839-0-01

Ref: (a) CMC ltr 3040 MHP-10 of 26 Oct 93
(b) USDAO BANGKOK 101038Z AUG 92

Encl: (1) CJTFFA DET ONE BANGKOK TH 200754Z JUL 92

1. Per reference (a), enclosure (1) is provided for release to the next of kin of Kenneth L. Plumadore (REFNO 0839-0-01).
2. Reference (b) reported that during the 18th Joint Field Activity, two witnesses claimed to have discovered American remains, which they found while digging on their cooperative farm. Each claimed to have discovered the remains in mid-1987. Along with the remains, they found two ammunition boxes filled with miscellaneous personal belongings, including an unopened letter. The remains and ammunition boxes were turned over to the district police.
3. On 6 July 1992, the field team was taken to the Vinh Linh District Police Station, where they recovered the remains from a secondary grave site and examined the contents of the ammunition boxes. The remains were later determined to be of a male Mongoloid, and were left in Vietnam. The JTF-FA field team retained the ammunition boxes, including the letter.
4. JTF-FA analysis revealed that the letter appeared to be a police report listing information on individuals associated with various political organizations and that it had no connection with the REFNO 0839 loss incident.
5. During the July 1993 Technical Talks, the JTF-FA asked the Vietnamese for additional information on REFNO 0839. A talking point requesting the status of the Vietnamese response will be presented at the next Technical Meeting.

Charles R. Marineau, Jr.
CHARLES R. MARINEAU, JR.
By direction

ENVELOPE

CDSN = LGX501 MCN = 93132/08249 TOR = 931320602
RTTEZYUW RUEKJCS9202 1320601- -RUEALGX.

ZNY

HEADER

R 120601Z MAY 93
FM DIA WASHINGTON DC

R 111735Z MAY 93
FM DIA WASHINGTON DC//PW-MIA//
TO RUHQHQA/USCINCPAC HONOLULU HI//J3/J30M/J2//
INFO RUHQHQI/CDR JTF-FA HONOLULU HI
RUEKJCS/JOINT STAFF WASHINGTON DC//J3/J5/PW-MIA//
RUEKJCS/SECDEF WASHINGTON DC//OASD-ISA/PW-MIA//
RUEHC/SECSTATE WASHINGTON DC//EAP/VLC//
RUHVAAA/CDRUSACILHI HICKAM AFB HI//TAPC-PED-H//
BT

CONTROLS

UNCLAS
U-0705/PW

SECTION 01 OF 02

/***** THIS IS A COMBINED MESSAGE *****/

BODY

SUBJ: REQUIREMENT FOR PRIORITY INVESTIGATION (RPI)
COUNTRY: VM

TITLE: RPI - REFNO 0839

1. REQUEST COORDINATION AND CONCURRENCE WITH REGARD TO FOLLOWING REQUIREMENT FOR THE PRIORITY CASE INVESTIGATION TEAM (PCIT). ENCLOSURE IS FIELD LEAD SHEET (TRANSMITTED SEPARATELY).
2. BACKGROUND:
 - A. CIRCUMSTANCES OF LOSS - CASE 0839 (PLUMADORE); PRIORITY CASE FOR INVESTIGATION.
 - 1) LANCE CORPORAL KENNETH L. PLUMADORE, USMC WAS INVOLVED IN "OPERATION KINGFISHER" ON 21 SEPTEMBER 1967 IN THE VICINITY OF GRID COORDINATES YD133699 NEAR CON THIEN FIRE BASE IN QUANG TRI PROVINCE. WITNESSES SAW LCPL PLUMADORE SUSTAIN SERIOUS WOUNDS DURING AN INTENSE FIREFIGHT WITH ENEMY FORCES. DURING THE ENSUING BATTLE, THE MARINES WERE FORCED TO ABANDON THE BATTLEFIELD AND PLUMADORE, ALONG WITH 14 OTHER MARINE PERSONNEL, WAS LEFT BEHIND FOR DEAD. ON 22 SEPTEMBER U.S. FORCES LEARNED THAT SOMETIME ON OR BEFORE THE NIGHT OF 21 SEPTEMBER THE VIETNAMESE CAPTURED "ONE AMERICAN PRISONER" WHO WAS "WOUNDED" AND WERE EVACUATING HIM FROM THE CON THIEN AREA. A SECOND USUALLY RELIABLE WARTIME SOURCE REPORTED ON THE MOVEMENT OF AN AMERICAN TO AN UNIDENTIFIED LOCATION ON 23 SEPTEMBER 1967. ADDITIONAL INFORMATION ON THE STATUS OF THIS AMERICAN WAS MIXED. ONE REPORT INDICATED DEATH; ONE REPORT INDICATED THE AMERICAN WOULD SURVIVE. U.S. RECORDS INDICATE NO OTHER CANDIDATES FOR THIS "WOUNDED AMERICAN" OTHER THAN ONE OF THE 15 MARINES LEFT BEHIND AT CON THIEN.

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2) U.S. FORCES WERE NOT ABLE TO RETURN TO THE LOCATION OF THE 21 SEPTEMBER BATTLE UNTIL 10 OCTOBER 1967. AT THAT TIME, ONLY 14 OF THE 15 MISSING BODIES WERE RECOVERED, FURTHER SUPPORTING THE POSSIBILITY THAT THE VIETNAMESE MAY HAVE CAPTURED ONE OF THE 15. ALTHOUGH THERE WAS CONSIDERABLE DIFFICULTY IN IDENTIFYING TWO SETS OF REMAINS, THE 14 SETS OF REMAINS WERE IDENTIFIED AND, BY PROCESS OF ELIMINATION, IT WAS DETERMINED THAT LCPL PLUMADORE WAS THE MISSING INDIVIDUAL.

3) ON 10 APRIL 1986 THE VIETNAMESE RETURNED THE REMAINS OF AN INDIVIDUAL WITHOUT ANY PERSONNEL EFFECTS AND CLAIMED THESE REMAINS BELONGED TO AN AMERICAN WHO HAD BEEN CAPTURED BY PAVN FORCES DURING THE BATTLE AT CON THIEN ON 21 SEPTEMBER 1967 AND WHO LATER DIED OF HIS WOUNDS. THE INFORMATION THAT THEY PROVIDED CORROBORATES U.S. HELD INFORMATION DESCRIBED ABOVE. ANALYSIS OF THE INFORMATION OBTAINED BY THE U.S. IN 1967 AND THE INFORMATION PROVIDED BY THE VIETNAMESE IN 1986 LEADS TO THE LOGICAL CONCLUSION THAT THE REMAINS THAT THE VIETNAMESE RETURNED SHOULD HAVE BEEN THOSE OF LCPL PLUMADORE. HOWEVER, FORENSIC ANALYSIS INDICATED THAT THE REMAINS HANDED OVER IN 1986 ARE POSITIVELY NOT THOSE OF LCPL PLUMADORE. FURTHERMORE, FORENSIC ANALYSIS FAILED TO FIND A MATCH BETWEEN THE DENTAL REMAINS RETURNED AND ANY UNACCOUNTED FOR U.S. SERVICE MEMBER WHOSE DENTAL RECORDS ARE AVAILABLE.

4) SINCE THERE ARE NO OTHER U.S. PERSONNEL LISTED AS MISSING FROM THAT INCIDENT, THERE ARE THREE POSSIBILITIES.

A) THE FIRST POSSIBILITY IS THAT THE REMAINS AND INFORMATION ARE ACCURATE AND CORRELATE TO SOMEONE LEFT BEHIND AT CON THIEN. IF THAT IS THE CASE THEN IT WOULD SUGGEST THAT LCPL PLUMADORE WAS ONE OF THE ORIGINAL 14 MARINES FOUND AT CON THIEN 10 OCTOBER 1967, BUT HIS REMAINS WERE MISIDENTIFIED AS ONE OF THE OTHER FOURTEEN MARINES AND BURIED UNDER SOMEONE ELSE'S NAME. IF THAT IS TRUE THEN THE REMAINS THAT THE VIETNAMESE RETURNED MAY BE THOSE OF ONE OF THE OTHER 14 MARINES RECOVERED IN OCTOBER 1967.

B) THE SECOND POSSIBILITY IS THAT THE INFORMATION PROVIDED BY THE VIETNAMESE WAS CORRECT BUT THE REMAINS RETURNED DO NOT CORRELATE TO THE CON THIEN INCIDENT. IN THAT CASE, THE VIETNAMESE MAY HAVE THE REMAINS CORRELATING TO THE CON THIEN INCIDENT STORED UNDER ANOTHER NAME.

C) THE THIRD POSSIBILITY IS THAT THE REMAINS AND THE STORY DO NOT PERTAIN TO AN AMERICAN AT ALL.

5) KNOWN REPORTING PROCEDURES AND EVACUATION ROUTES INDICATE THE FOLLOWING ORGANIZATIONS WOULD HAVE HAD INFORMATION ABOUT PLUMADORE: B-5 FRONT, HQ VINH LINH SPECIAL ZONE, AND THE 8TH BATTALION, 90TH PAVN REGIMENT.

B. PREVIOUS INVESTIGATIONS: ITERATION 18, JUNE/JULY 1992. NONE OF THE WITNESSES INTERVIEWED HAD INFORMATION ON THIS CASE.

3. REQUIREMENTS: FURTHER INVESTIGATION IS REQUIRED BASED ON SOURCE REPORTING AND THE INFORMATION PROVIDED BY THE SRV WHEN THEY REPATRIATED BOX 15 IN APRIL 1986. WARTIME REPORTING INDICATES THAT AN AMERICAN WAS CAPTURED IN SEPTEMBER 1967 DURING THE CON THIEN INCIDENT; HIS IDENTITY CANNOT BE DETERMINED, AND WE HAVE NO CONCLUSIVE EVIDENCE OF HIS FATE. THE REMAINS RETURNED ARE NOT THOSE

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* Why do we keep PRAISING VN for their cooperation - while acknowledging that they ARE warehousing remains?

OF LCPL PLUMADORE.

A. CENTRAL QUESTIONS:

1. WHO DID THE VIETNAMESE REMOVE/CAPTURE FROM THE BATTLEFIELD AT CON THIEN IN 1967.
2. WHERE ARE THE RECORDS THAT WOULD HAVE BEEN CREATED IF A PRISONER WAS CAPTURED AND THEN MOVED NORTH TO VINH LINH?
3. WHAT RECORDS WERE USED BY THE VIETNAMESE TO ASSOCIATE THE REMAINS RETURNED ON 10 APRIL 1986 WITH THE LOSS INCIDENT AT CON THIEN?

B. ARCHIVAL:

1. RESEARCH THE WARTIME RECORDS ASSOCIATED WITH THE B-5 FRONT, ENEMY PROSELYTIZING SECTION, FOR DOCUMENTATION CONCERNING THIS INCIDENT.

2. RESEARCH THE RECORDS OF THE 8TH BN, 90TH PAVN REGIMENT, MILITARY REGION 4 (MR4)/VINH LINH SPECIAL ZONE, OR OTHER UNITS WHICH MAY HAVE OPERATED IN THIS AREA AT THE TIME OF THE INCIDENT.

3. ATTEMPT TO SOLICIT ANY PERSONAL EFFECTS/PAPERWORK RELATED TO THE "WOUNDED AMERICAN" WHO WAS PICKED UP BY THE VIETNAMESE ON 21 SEPTEMBER 1967 AT CON THIEN AND TRANSFERRED NORTH.

4. ATTEMPT TO SOLICIT THE PERSONAL EFFECTS/PAPERWORK THAT THE VIETNAMESE USED TO ASSOCIATE THE BODY RETURNED IN 1986 TO A LOSS INCIDENT AT CON THIEN IN 1967.

C. LOCAL AREA: NONE. RETURN TO THE LOCAL AREA IS NOT WARRANTED AT THIS TIME.

D. INTERVIEWS:

1. RESEARCHERS AND WRITERS WHO WROTE THE ADVANCE FORWARD ON HIGHWAY 9 AND KHE SANH IN THE SPRING OF 1968, SHOULD HAVE INFORMATION ON AVAILABLE RECORDS IN THE AREA. THIS GROUP INCLUDES: MG HO DE, COL TRAN HANH, COL HUNG DAT. THE EDITOR AND MILITARY LEADERS UNDER WHOSE AEGIS THE STUDY WAS WRITTEN IN 1986-87 SHOULD ALSO BE ABLE TO PROVIDE BACKGROUND ON THE RESEARCH AND DOCUMENTS USED. THE OFFICERS INCLUDE MG HOANG DAI, MG CAO PHA, AND GEN HOANG

/***** BEGINNING OF SECTION 002 *****/
MINH THAO.

2. ESPECIALLY KNOWLEDGEABLE OF RECORDS AND SOURCE DOCUMENTS ON THIS AREA WOULD BE THE AUTHORS AND RESEARCHERS OF THE 1992 WORK: BATTLES ON THE QUANG TRI FRONT IN 1972: CAPTAIN NGUYEN QUANG HIA; MAJOR NGUYEN DINH KHUONG; MAJOR DU TA LINH; MAJOR NGUYEN HUU THANH; CAPTAIN NINH PHU LIEN; MAJOR NGUYEN VAN LONG; MAJOR VO VAN KHUE; MAJOR NGHIEM THIANK HAI; MAJOR NGUYEN THANH MAI; CAPTAIN NGUYEN MANH TUYEN; CAPTAIN NGUYEN KHA TIEN; MAJOR NGUYEN VAN BINH; AND CAPTAIN HOANG HAI HUNG. THE BOOK WAS COMPILED AND WRITTEN UNDER THE AEGIS OF MAJOR GENERAL NGUYEN HUY HIEU, CORPS COMMANDER; COLONEL DO TRUNG DUONG, DEPUTY CORPS COMMANDER; AND COLONEL VU XUAN SINH, DEPUTY CORPS COMMANDER, AND WAS DEVELOPED OUT OF THE MILITARY SCIENCE OFFICE OF I CORPS.

E. OTHER ACTION: ASSIST IN THE PRESENTATION OF A DEMARCHE TO THE VIETNAMESE GOVERNMENT, REQUESTING THE RECORDS USED BY THE VIETNAMESE TO IDENTIFY THE REMAINS THEY RETURNED ON 10 APRIL 1986. ALSO REQUEST ACCESS TO THE PERSONAL EFFECTS THAT THE

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* Were these questions ever asked?

VIETNAMESE MUST HAVE RECOVERED WHEN THEY ACQUIRED THE BODY.

4. INVESTIGATIVE PRIORITY:

- A. ARCHIVAL RESEARCH.
- B. INTERVIEWS.

5. GUIDANCE:

A. BASED UPON THE TEAM'S ON-THE-SPOT ASSESSMENT OF PRELIMINARY FINDINGS AND CIRCUMSTANCES, OTHER PRACTICAL AND IMAGINATIVE ACTIONS SHOULD BE TAKEN, WHICH THE TEAM FEELS COULD SHED LIGHT ON THIS CASE.

B. THE JOINT RESEARCH AND INVESTIGATION EFFORT WILL BE ENTIRELY OVERT, WITH THE SANCTION OF APPROPRIATE VIETNAMESE OFFICIALS.

C. REQUEST ALL RESPONSES BE ELECTRONIC REPORTS OF INVESTIGATION (ROI) ADDRESSED TO THE CDR JTF-FA HONOLULU HI AND DIA WASHINGTON DC//PW-MIA//. INFO COPIES SHOULD BE PROVIDED TO ALL OTHER ADDRESSEES HERETO.

D. PUBLIC LAW AND DOD POLICY MANDATE THAT ALL PW/MIA-RELATED REPORTS THAT CORRELATE TO OR CONTAIN THE NAME OF A MISSING OR UNACCOUNTED-FOR AMERICAN BE FORWARDED TO THE PARENT MILITARY SERVICE CASUALTY OFFICE, OR TO DEPARTMENT OF STATE (DOS) FOR CIVILIANS, FOR FURTHER RELEASE TO THE NEXT-OF-KIN. UPON REQUEST FROM SERVICES OR DOS, ORIGINATOR IS REQUIRED TO SANITIZE THESE REPORTS FOR RELEASE. WHILE SOURCES AND METHODS SHOULD BE PROTECTED, EVERY EFFORT SHOULD BE MADE TO RELEASE THE SUBSTANCE OF THE INFORMATION.

ADMIN
BT

#9203

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DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

Mr. Patricia Plumadore
616 Plymouth Drive
Syracuse, NY 13206

Dear Ms. Plumadore:

This letter is in response to your completed form requesting to view the classified file of your brother, Lance Corporal Kenneth L. Plumadore.

We have forwarded your request to the Defense Prisoner of War/Missing in Action Office (DPMO). You are scheduled to view Lance Corporal Plumadore's records on March 1, 1994 at 9:30 a.m. in the DPMO. If you will come to the Casualty Section prior to that time, we will escort you to that office.

The Casualty Section is located at 3033 Wilson Blvd (Virginia Commonwealth Bank Bldg) in Arlington, Va. When you arrive in lobby, call our office at 696-1177 and someone will come down to meet you. You cannot go beyond the lobby without an escort. Please have identification (with your picture) to provide for access to the DPMO building.

If you find that you will be unable to meet the above date, please notify this office immediately.

Please let me remind you that in accordance with the procedures set forth by the Department of Defense that no notes may be taken and no copies made of the records you review. A representative of the Casualty Section and DIA will be present during the length of the review. Any questions you may have at the review will be noted by the Casualty representative, and responded to in writing after research is completed.

We look forward to seeing you on March 1.

Sincerely,

A. Hankers

A. HANKERS
Assistant Head
Casualty Section
Personal Affairs Branch
Human Resources Division
By direction of the
Commandant of the Marine Corps

STATEMENT OF JUDITH COADY RAINEY

I am the sister of Major Robert Franklin Coady USAF who is missing in Laos since January 18, 1969. I would like to tell you how proud my brother was to be in the Air Force. He volunteered to go to Vietnam three times before Air Force sent him to Southeast Asia. He was proud to be serving his country and he felt that if he could make a difference by helping his country fight communism. He was willing to do his part. My brother arrived at his base in Thailand and he started sending tapes home so he could talk to the family together and we could in turn record over the tapes and send them back. My mother kept the tapes and just recently turned them over to me. I had a friend put them on cassette tapes for me. A few months ago I listen to the tapes for the first time in 25 years. He told of his trip over there and what the base was like. He talked of his first mission. It was on a Sunday and he told us what he could without breaking security. At the end of his short talk about his first battle he said "I killed people and I could see them". Then he added, well, maybe God can forgive me. My brother was 29 years old. He was an outstanding pilot and an instructor pilot at the Air Force Academy. His hobby was skydiving and he started skydiving clubs all over the country. He flew most missions as a Sandy Pilot. Sandy Pilots were the gutsy guys that took the fire so that the jolly green giant could go in and pick up downed pilots.

My family is not a family that cannot accept what happened to a loved one. We are only a family that wanted to know what happened to him if we could. We, like him, believed in this country and what the government told us. The family knew the kind of person my brother was and expected that the same kind of persons made up the Air Force and our government. We always expected that the Air Force would tell us, as they promised, to give us any information they received. I have found out that our trust was misplaced. After asking for his files 4 years ago, I found out that DIA, CIA, JPRC and OSD all had information. All this information is now being described as nothing significant, yet it was important enough to classify and go into his files and never told to Maj. Coady's family for 23 years. In my quest to find answers, I have been lied to and had information withheld. I am sorry to say that even now little has changed. Each family knows their own case and when we question (which we have every right to do) then we should get correct answers and you should see that we do. That is part of your job. You are elected to represent us, and if we say something is not working then it should be investigated and fixed.

The one thing I am tired of hearing is that this government does not rule out the possibility that there may be POWs held against their will, but that there is no credible evidence. Well, to establish credible evidence one must first be willing to check out the evidence. I wonder how many of you have read the documents or really done any studying on what might be evidence. I know that Senator Smith is one Senator who has taken the time to follow up on DIA's investigation of the evidence. I am sure you have heard his report. Satellite imagery would be a good start to get answers. Satellite imagery has shown authenticator codes, names, and walking Ks. This is what these men were taught to do and yet it is being debunked. These images in the grass are not natural in a country that doesn't use an alphabet or numbers like ours. If the evidence doesn't have any validity, what other countries have satellite imagery that shows the names, authenticator codes, or walking Ks. We have been told that our government is checking live sighting reports. These live sighting checks have to be ok'd by Vietnam with notice. If you give someone notice, do you think they are going to leave something for you to find?

This is an extremely critical time for us. The present administration has given up our leverage through lifting of the Trade Embargo, and now government officials are closing cases with just one tooth. The loss of a tooth does not prove anyone has died. This is not creditable accounting.

Because we did not want to lift the Trade Embargo or refuse to accept that the existence of a tooth is creditable accounting, we are accused of being activists. That is the same term given to leaders in the civil rights movement. Like the civil rights movement, we are here until you listen. I hope that what we have said today are not forgotten thoughts tomorrow.

Barry A. Toll

*2920 29th Street North
St. Petersburg, Florida 33713
813-323-3731
813-327-3762*

May 24, 1994

HONORABLE GARY L. ACKERMAN
Chairman
Subcommittee on Asia and the Pacific
House Committee on Foreign Affairs
Washington D C 20515

Reference: The Chairman's letter to me dated 18 April 1994. Subj: Chairman's expression of thanks for testimony on 10 Feb 94, and request for further assistance from me, to the Subcommittee.

Dear Mister Chairman,

Thank you for the above referenced letter. Please forgive this untimely reply; your letter did not arrive until the 27th of April, and I was out of town for two weeks afterward.

You have requested I assist the Subcommittee in three specific areas, relating to what I was able to testify to under oath, before you in Washington, on Feb. 10, 1994, during the POW/MIA hearings:

- 1 Provide you with a list of "documents and photographs...that the subcommittee should review" that I referenced in testimony, including approximately 40 I delivered to the White House during meetings with Anthony Lake and Kent Wiedemann on November 4th, 1993.
- 2 Provide you with my "judgment" as to where they are located "possibly in National Archives"
- 3 Provide the subcommittee with a list of questions that you (Barry Toll) believe we should be pursuing in order to get answers to the questions surrounding the POW/MIA issue".

Chairman Ackerman, I must reiterate what I told you in response to your questions of me, under oath on February 10th, 1994. When you questioned me as to whether I would "cooperate with this committee?" My response was based upon my previous experiences, which now include sworn testimony before the House, Senate, and visits to the White House on this troubling matter. I said at that point in time, I would only be disposed to cooperate "if I saw the effort being exerted was an earnest one", and referred to what I had previously experienced with the White House and Senate as disingenuous.

You then, understandably somewhat concerned, stated you would "subpoena those documents and photographs" that I had testified to previously, if I would but "cooperate". You directed from the Chair during that hearing that your Staff "get with" me to facilitate that "cooperation". I spoke with two members of the staff immediately after my testimony. I remained in Washington, extending my stay

for two days in attempts to communicate with them, as I had many of the documents arrayed before me during testimony. Frankly, I could not get either of these individuals interested in the materials. That is decidedly not an "earnest effort", Mister Chairman, and they directly ignored your instructions.

I further attempted several times to contact them telephonically, and by fax, over the ensuing next two weeks. I also repeatedly requested that the working transcript of my sworn testimony, and our exchange during your questioning of me, be forwarded to me promptly for my review and certification as to accuracy, and corrections inevitably necessary owing to phonetic transcription of acronymic jargon peculiar to this topic. The staff informed me that they received that working transcript approximately ten days after the hearing. More recent attempts to correct my testimony transcript have all resulted in stonewalling. Simply put, your staff won't even let me see and correct my own testimony!

To date, I have not even been accorded the opportunity to correct or review what I said under oath. This peculiar delay also does not portend "an earnest effort" to me either, Mister Chairman. It is now just shy of 4 months later!...where is the transcript of my testimony? Why is it being withheld from me? Why is it being withheld from the public? Is it your intent to sequester my testimony?

I came before your hearing, under potential penalty of perjury, at my own expense, to inform you of documents and imagery intelligence being withheld from the Congress, and the People, and the Families of our POWs and MIAs, despite the hollow words of Presidents offering "declassification". I sat amazed as I watched and listened while Ed Ross, Acting ASD, testified under oath that "all the imagery had been reviewed". He quickly changed that statement from his own certification of that assertion, to the reality that "others" had testified under oath (before the SSC) to that claim. I know that is not true, Mister Chairman. From my private conversations with Anthony Lake in the White House, I know he doubts the veracity of those claims also.

I had in my possession in September, 1993, approximately 48 satellite and low-level aerial reconnaissance photographs, taken over Southeast Asia, from late 1973, through the fall of 1992, depicting the names, assigned ground distress symbols, or secret four-digit authenticator codes of dozens of missing men from the Vietnam Era, having been stamped out, or constructed in Vietnam, Laos or Cambodia. Some men's names, or authenticator codes appear up to six different times over the long years. In one case, the secret authenticator code appears first in 1973 after Operation Homecoming, and five additional times, up to finally a photo in October 1992! It moved from Vietnam to Laos (the beseeching, skyward constructed symbols) in the mid-80s. I specifically discussed these cases with Mr. Lake, in private in the White House (per our agreed upon arrangement then), and he was familiar himself with one such case and queried me extensively about it. All of this snooking material is being withheld from the Congress. If these photos were laid before the American Public, or the Congress, I assure you that the Trade Embargo against the SRV would never have been lifted.

That is exactly WHY they weren't, in my opinion, Mister Chairman. But I assure you they exist.

In August 1993 certain Family Members, believing they were gaining an audience with President Clinton at the White House, sought my assistance in "forming a team of experts" to represent them during such a meeting. The purpose was to inform the President, that which we believed he, and

this White House, was not being told about the POW/MIA evidence that exists within our own archives, and that which had not been seen by the Senate Select Committee's investigation. I agreed, contacted retired USAF Lieutenant General Eugene Tighe (former head of DIA, author of the Tighe Report in 1986, and whom I served with and received briefings from when he was CINPAC J-2 focusing on POW/MIA matters in 1972, where we served together in Hawaii). I also contacted Mr. George Carver, (former Special Assistant for Vietnam matters to three different Directors of Central Intelligence, and Chairman of the Nixon White House Washington Special Action Group's Indochina Subcommittee on Intelligence, which controlled our most covert operations during the war) currently an Olin Fellow at the Center for Strategic and International Studies. They both readily agreed to join the team to convince this President critical, capstone intelligence information was not being considered on this matter. I contacted a few others as well, but focused the nucleus of "the team" around the three of us.

That decision was based on the reality, that unlike historians, politicians, journalists and researchers, we were not merely three persons perusing a purged, selectively released, incomplete archive of isolated intelligence documents, through the murky lens of history. To the contrary, Dr. Carver, LTG Tighe and I, all occupied critical, bottleneck positions along the spinal cord of the flow of intelligence on POWs and MIAs from the ground in Laos and Cambodia (at times attempting to rescue POWs clandestinely) to the White House, during the era. In short, we had direct, hands-on, fully accessed experience with the materials (a vast amount of which is now admitted to be "missing", directly corroborating my sworn testimony of 1992, that a major purge of the materials was begun during the Ford Administration, which led me to believe the whole issue was going to be covered up for politically expedient reasons, and leading to my demand to be immediately discharged from an otherwise exemplary career, in protest of the deceipts being perpetrated by the Executive, in 1975).

We began correspondence with the White House discreetly in August, 1993, and on September 9th, 1993, arrived in Washington believing we would have an audience with President Clinton. Several entities within the U.S. Intelligence Community, believing our "team" would have the last best chance to "inform" the new President of the reality behind the compelling evidence not known of publicly, gave me documents and IMINT photos to lay before the President. They also gave me messages to give him, and one even agreed to accompany me into the Oval Office, at risk of his career, and jeopardy of action against him for revealing the materials in unauthorized fashion.

What they wanted President Clinton told was:

1. These 48 IMINT examples, bearing symbols pertaining to dozens of men missing in Southeast Asia, had been discovered as a result of an archival perusal of merely 15% of the entire IMINT archive. That is all they had time for, in their research.

2. Persons had testified falsely before the SSC as to the effort exerted to review imagery intelligence on the matter. There had barely been a cursory attempt at review, and Bush appointed witnesses had testified "all" had been reviewed.

3. They had been "warned" not to pursue imagery intelligence archives in their classified duties, and were extremely fearful of political retribution for having continued to gather these materials in the wake of what they insisted were "lies" told the SSC.

4. They wished the President to "protect" them, as "whistleblowers", as many Bush appointees remained in place, even at that point in the Clinton Administration.

5. That the entire, formal, Intelligence Cycle, had long been perverted by politicization over the years on the POW/MIA matter, and many lies, quite provable as same, had been perpetrated on the public, Congress and Families.

6. That political forces inimical to the President's own party, would utilize embarrassing information contained within national archives, to discredit any Presidential decision to precipitously lift the Trade Embargo against the SRV, later in his term of office.

7. That specific, formal, recommendations would be forthcoming on how to reorganize the POW/MIA Executive Branch effort and remove the politicization impact of the DPMO, being basically an intelligence gathering entity operating within its isolated sphere, immune from the normal process of objectivity and review inherent in the normal intelligence cycle.

8. That they endorsed the Four Point Agenda authored by myself, editorialized by Dr. George Carver in the Wall Street Journal, supported by General Tighe, and endorsed by over 100,000 other persons, calling for the Presidential Appointment of an Independent Commission, to review the critical, capstone, all-sourced intelligence materials being withheld from the public.

Believing we would see the President, the satellite photos were brought to me just prior to the White House appointment. However, we were informed late in the day that we would not see the President, that this was a "preliminary" meeting. We would see Sandy Berger, David Gergen, and others in the Situation Room. We protested, stating we had information for the President's Eyes Only.

I withdrew from that meeting. I was constrained by the sources from giving the information to anyone other than the President himself.

Subsequently, after repeated requests from the White House, between September and late October, and dozens of pages of correspondence, I agreed to meet with Anthony Lake privately, and disclose certain information to him. The sources were extremely fearful, and constrained me from revealing certain information, believing that the exposure would enable any Executive official to pinpoint the sources quite readily, and take retribution.

I did meet, at the President's request, with Mr. Lake, and Mr. Wiedemann for over three hours on November 4th, 1993. I disclosed and discussed and delivered materials with them not known of publicly. Some materials were only known of by less than 10 people at that time in the entire government.

As Carol Hrdlicka and I attempted to inform you at your hearing, Mr. Wiedemann, Asian Affairs Director for the NSC, subsequently coordinated with us, what he called "our common project", but led us eventually to the conclusion he had lied to us repeatedly. Specifically, Mr. Wiedemann told us both that the NSC would proceed with an "internal investigation" in lieu of the appointment of the Independent Commission. I insisted to Mr. Wiedemann that Mr. Lake personally approve this effort, and obtain the President's imprimatur, before I would fully cooperate. He consulted with Mr. Lake, and on 15 November 93 I was assured that he had been given approval "to hire up to six investigators, directly to NSC, to gather the hidden materials for the White House. They would proceed with the President's direct imprimatur when descending upon departments and agencies of the Executives to gather the materials. Mr. Wiedemann had promised in front of Dr. Carver and Carol Hrdlicka to return the documents I gave him in the White House West Wing, within a few

working days, after he copied them. Despite repeated requests he would not do so, he lied about this also, and has never returned them. We also came to know that no investigation ensued, despite our having sent certain intelligence entities to the White House for conference, with formal commendations as to how to proceed. In short, Carol Hrdlicka and I have and will testify under oath to these matters and believe Mr. Wiedemann lied to us.

I believe you can best start gathering the documents, and one IMINT photo depicting a four-digit authenticator outside a known POW camp in Vietnam, that I gave Mr. Wiedemann, by fulfilling your stated intent on the record to me of February 10th, 1994, by "subpoena". Simply subpoena the documents he has, that I gave him, that you promised me during our exchange you would. Dr. Carver and Carol Hrdlicka will attest to his promises on November 4, 1993 to return them to me. They belong to me, are being illegally withheld, and Mr. Wiedemann is a liar, and now you want the documents. I am willing to give them to you, but you'll have to get them from Wiedemann, who is now reassigned at DOD. I will need to inspect them however, and attest that he has returned them when, and if, you get them.

When perhaps, you will understand what I have been going through for many years with the Executive Branch misconduct, lies, obfuscation and deceit on this matter.

I have recently sent Mr. Lake a lengthy letter, asking him to investigate documents we have forwarded to him. The documents are internal DIA/DPMO memos clandestinely reporting on the activities of Carol Hrdlicka and I, through professional informants, our efforts at the White House over the period cited above in this letter. As such, I believe they constitute "illegal, domestic, intelligence gathering by the DIA or DPMO", proscribed by law. We have the documents, and are aware of many others circulated at that level, eavesdropping our White House efforts. Since it is a matter of record that in 1975 and 1976, the DIA engaged in illegal surveillance and intelligence gathering against me many months after I departed from the armed services, for fear I would exercise my threat then to go to "Jack Anderson or Sydney Schanberg", I am well used to the pattern of domestic terrorists the DIA and other embarrassed intelligence entities will go to on this matter (See sworn affidavit of former Army Major J. Lawrence Wright, Judge Advocate General's Office, swearing how DIA admitted to him in 1976 that it had been conducting round the clock surveillance of me since August 1975. I was a civilian. Those materials were developed by the SSC investigation and Wright's sworn statements are in that archive, or I have my own copies).

Further on two occasions since visiting Mr. Lake at the White House, and immediately prior to testifying before your subcommittee, I have been threatened with physical harm for having disclosed the nature of the materials I had, or perused. One individual threatening me, was mentioned to me by one of your subcommittee staff as a "good friend". This does not particularly endear me to the idea of proceeding in cooperation, should there not be that "earnest effort" forthcoming I testified about to you, in response to your request for my "cooperation".

The documents given to the White House, contained CIA documents reporting on the extensive second tier prison system containing many Americans, in Laos. B-2 and B-3 evaluated Controlled American source intelligence reports regarding the transfer of American POWs and MIAs into Yunan Province, VC late in the war, and which strongly corroborate key aspects of the "Quang Document", discovered by Stephen Morris in Moscow archives. The USG has insisted in official statements it has no corroboration in U.S. archives of the Quang Document. That is a boldface lie, as I showed Lake and Wiedemann in the White House.

Dr. Carver also brought Top Secret documents he authored for CIA and White House during the era not known of publicly on the POW/MIA matter. They were proffered to Mr. Lake as well.

Allow me to conclude Mister Chairman, by stating that I would be well disposed to assisting your subcommittee on this matter, as I truly believe, as I testified at your hearing, that "you represent the last best hope for the Families" at this point. The failure for proper oversight exercised by the Congress on this matter over the years can only be salvaged by your actions, in my opinion. Yet, I must insist that in accordance with what I told you at the hearing, the effort must be shown to me to be earnest.

Specifically, I would need to see the following actions occur:

1 I want to be accorded under the House Rules, the right to review and correct my sworn testimony, as transcribed from the tapes, that I have been repeatedly denied thus far. I want my transcript released to me for same immediately. Four months is disingenuous as an "earnest effort".

2 I shall only proceed under oath, fully sworn, with a full transcript being made available to me in timely fashion, to provide the assistance you request of me in your letter of 18 April 94, and as you requested of me in hearing of February 10th, 1994. Unless the White House presumes to attempt to classify the contents of my discussions with them, and you accede to such a request, I would expect all such eventual assistance and transcripts and exhibits which I will personally bring (documents), to be made part of the Subcommittee's Record, fully available to the public.

3 I want no contact, nor access given to my testimony and exhibits proffered, to the individual on your staff claiming to be a "good friend" of the individual that has threatened me twice, and I want the Chair's assurance, that should further threats be received by me from that individual, or any other, for disclosing to your subcommittee these documents or photos, that you will promptly refer them to the Justice Department for immediate investigation.

4 I want your personal assurance reiterated, as you gave me in the hearing February 10th, 1994 and offered to gain my statement that "I would indeed cooperate upon that representation by the Chair that you "will subpoena the documents (and photos)" if necessary. If you will not keep your promise to me, and the Families attending that hearing, then I shall not be obliged to assist you in any way. That is what you promised, and I expect you to honor that promise, for it is my opinion that you will have to exercise that promise before this is done if you gain my testimony. I will give you an evidentiary path to the materials, and where they in fact resided, as of February 8th, 1994.

I believe your conduct as Chair of the Subcommittee in the POW/MIA hearing was laudatory of the highest standards of integrity, and responsibility for Congressional Oversight I have yet seen in 20 years of my having sought to bring the government to truth on this matter, Mister Chairman. Let me state that I believe you are a man capable of getting at the truth, and will let the chips fall where they may. However, your staff failed to follow the orders you gave them regarding me, and there is no excuse for withholding the record of my sworn testimony from me all this time. Those two realities, negate the statements of the Chair, given to me that day. In short, if it is your intention to proceed as you told me then, you will have to immediately correct that which has led me to believe your intent was disobeyed up to this point.

Otherwise, I shall conclude you have decided to renege on your own promises given in that hearing. Until I hear from you, I shall assume you simply did not know of the failure of your staff regarding

these matters, and the resulting loss of faith that has accordingly impacted me, in accepting your statements to me, at their face value.

Sincerely,

Barry Allen Toll

BARRY A. TOLL

B. Toll

Witnessed *Yvarian Toll*

Witnessed *[Signature]*

Barry A. Toll

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S. Petersburg, Florida 33713

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June 14, 1994

HONORABLE GARY L. ACKERMAN
Chairman
Subcommittee on Asia and the Pacific
House Committee on Foreign Affairs
707 O'Neill HOB
Washington D.C. 20515

Reference: 1) The Chairman's letter to me dated 18 April 1994. Subj: Chairman's expression of thanks for testimony on 10 Feb 94, and request for further assistance from me, to the Subcommittee

2) Ltr from your Subcommittee, recv 7 June 94, Subj: Request to submit corrections of transcript provided to my sworn testimony before you, on February 10, 1994.

CORRECTIONS TO TRANSCRIPT OF SWORN TESTIMONY OF FEBRUARY 10, 1994

Dear Mr. Chairman,

Thank you for prompt response to my letter of 24 May 94, in reply to Reference 1) above. I received the transcript on June 7, and here follow my requested corrections to that testimony. Allow me to say that having reviewed and corrected many transcripts in the last few years, yours required the least effort by far and away and that was of some relief. There is one major problem I have however, occurring near the end of my testimony, and I am sure it is caused by your remarks on Page 251, at Lines 5826-7: "We have to talk one at a time, or otherwise it is not going to work out for the record."

I have spoken with two other witnesses present (Carol Hrdlicka and Judy Rainey), and we recall specific words spoken by the Chair at that point, that do not appear in the transcript; obviously, your stated prediction regarding the record, has come true. I shall address that point in the chronological sequence of corrections that follow in this letter.

Since I also have over 300 pages of sworn testimony, or submitted sworn statements on this same topic as a result of the Senate Select Committee on POW and MIA Affairs, I am meticulously concerned with consistency. Therefore, I am providing the annotation "(Note^s:)", and appropriate comment to those entering these corrections, for any clarification they might need. There are some inevitable phonetic errors, as you certainly know better than I, when dealing with acronymic esoterics inherent in discussions of this topic. I believe the corrections I've submitted will best serve to resolve those errors while remaining in accordance with the request on your June 2, 1994 dated letter that you would appreciate if corrections were kept to a minimum to save expensive resetting, and still preserve the integrity of what I intended to, and did say.

Corrections and Notes for sworn testimony of Barry A. Toll, appearing before the Subcommittee on February 10, 1994 are as follow

Page 236, Line 5451

Simple Correction: Delete word "MACVSOG"

Complex Correction: Move word "MACVSOG" from Line 5451, to Line 5452 and insert words to read immediately after "in Laos in 1968, then later detached to MACVSOG, to the White House...". Lines 5451 and 5452 should then read correctly "as a leader of top secret clandestine missions to rescue American POWs in Laos in 1968, then later detached to MACVSOG, to the White House...".

NOTE: This error, whether due to phonetic garbling around the acronymic use of "MACVSOG" or my own juxtaposition of syntax, must be corrected. The point here is that the referenced mission to "rescue American POWs", is NOT a MACVSOG mission per se, although the intelligence precipitating the attempt originates from SOG-80, Prisoner Recovery and Studies Group, it was conducted by me under direct orders of Major General (Retired) Stan McClellan, then commander of a Task Force counter-attacking a major North Vietnamese at the Tri Border junctions of Laos, Cambodia and South Vietnam. McClellan, was then officially Commander, of the 3rd Brigade 4th Infantry Division, and directly controlled my activities as I was one of his Long Range Reconnaissance Patrol Team Leaders performing top secret, clandestine, intelligence gathering missions. My testimony in closed deposition before the Senate Select Committee, dated June 24, 1992, directly addresses this issue. The SSC has a sworn Affidavit by survivors of the mission as Exhibit accompany my testimony, and corrections, explaining the complex command relationship. In no way should the mission be construed as a MACVSOG mission, although the intelligence for it, derived from SOG-80. As presently worded, without correction, the wrong impression is given, although my transcript and corrections to the SSC are quite clear, when read with the accompanying sworn Affidavit of survivors, derived from, and submitted by House Whip David Bonior's office, in October, 1990. Representative Bonior represented one of the survivors of this rescue attempt, Michael Bartholmew, for years, and the Affidavit was done at Bonior's request for reasons other than POW/MIA matters. The point here is that the error, while minor in distinction, gives a false impression contradicted by the record established in my SSC testimony. You can correct it by either the Simple Correction or Complex Correction, as you deem appropriate, IAW your aforementioned need "to avoid expensive resetting". Either choice is fine with me but it must be changed and is not accurately recorded.

Page 236, Line 5456 Phonetic transcription error

Replace second occurrence of word "in" with word "end".

Line 5456 should read "integrity in the matter at hand and end the trail of tears".

Page 237, Line 5460 Phonetic transcription error

Replace word at end of line 5460 "as" with word "in".

Line 5460 should now read "1967. And in 1968, after heavy combat as an infantryman in"

Page 237, Line 5469 Phonetic transcription error

Replace word "about" with word "out".

Line 5469 should now read "House in assignments variously out of the Embassy in"

Page 237, Line 5478 Phonetic transcription error

Replace word "is" with word "his".

Line 5478 should now read "the United States, or his designated successor, or alternate"

Page 237, Line 5482 Phonetic transcription error

Replace acronymic "SSE" with "SSC".

Note: This error occurs several times throughout the transcript and is derived from erroneous phonetic interpretation. The acronym refers to the "Senate Select Committee", and should be "SSC".

Page 238, Line 5486:

Same error, replace "SSE" with "SSC".

Page 238, Lines 5492 and 5493: erroneous statement

NOTE: The words appearing in the transcript "when Senator Smith in an outburst challenged one of the men who testified here today..." are in error, on my part. While I do not believe a change is necessary I do wish this note to be part of the Subcommittee's whole record. As the Chairman mentioned later, weather on February 9 and 10, 1994 was a factor in witnesses' travel to testify. My flight had been canceled on the 9th of February, and indeed, my flight to testify on the morning of the 10th, was also delayed 3 hours. I arrived therefore, in the hearing room at noon. I asked another witness in the room, in hushed tones, "who had testified for the government so far?..." I was mistakenly told Charles Trowbridge, of DPMO had testified, and hence, made this misleading statement. It is my error. Although Senator Smith later, formally, referred his own charges of "malfeasance, fraud and perjury" to Attorney General Janet Reno for investigation, naming publicly Mr. Ed Ross and Charles Trowbridge's testimonies before the Senate Select Committee. Mr. Ross did testify on February 10th, 1994, but Mr. Trowbridge did not. Mr. Trowbridge was on the panel before the SSC that Senator Smith "in an outburst challenged" with my behind closed doors testimony, on 24 June 1994 but Mr. Ross was not a member of that panel. Hence, my statement here is not exactly correct and I correct it so, for the record with this note.

Page 239, Line 5523 Phonetic transcription error

Replace first word in line "very" with "various", and word "specially" with "especially".

Line 5523 should now read "various specialized and unified commands, especially CINCPAC."

Page 239, Line 5527 Phonetic transcription error

Replace word "Quong" with "Quang" and word "documents" with "Document's".

Line 5527 should now read "And of course, I just make note of the **Quang Document's**"

Page 240, Line 5533: Phonetic transcription error

Replace word "53.2" with "53.25"

Line 5533 should now read "he would provide them a minimum of **\$3.25** billion in"

Page 240, Line 5539: Phonetic transcription error

Replace word "me" with word "men".

Line 5539 should now read "Vietnamese would hold **men** back."

Page 240, Line 5542: Phonetic error or clarification required

Replace word "that" with words "**Rand advised**"

Line 5542 should read "having to pay ransom, **Rand advised** it would best proceed as such a"

Page 240, Line 5554: Phonetic transcription error

Replace word "it" with word "**that**" and replace word "where" with word "**wherein**"

Line 5554 should now read "And **that** precipitated an atmosphere **wherein** on the 21st of"

Page 240, Line 5555: Phonetic transcription error

Replace word "Moore" with proper spelling of "**Moorer**"

This error occurs throughout the transcript, referring to **Chairman of the Joint Chiefs of Staff, Admiral Thomas H. Moorer, erroneously as "Moore"**.

Page 240, Line 5557: Phonetic transcription error

Insert word "it" between words "should" and "have".

Line 5557 should read "withdrawal from Vietnam, an event that should **it** have reached"

Page 241, Line 5558: Phonetic transcription error

Delete word "and"

Line 5558 should now read "the public ears at that time would have caused and outcry"

Page 241, Line 5562: Repetitive transcription error

Change **Moore** to "**Moorer**" as noted earlier

Page 241, Line 5563: Repetitive error...Change "**SSE**" to "**SSC**".

Page 241, Line 5565: Phonetic transcription error

Insert word **that** between words **was** and **he**

Line 5565 should read now "initial testimonies, **was that** he reversed that order, and the"

Page 241, Line 5567...Change "**Moore**" to "**Moorer**" again.

Page 241, Line 5568: Phonetic transcription error

Change word "**the**" to word "**these**"

Insert word "**back**" between words "**held**" and "**in**".

Line 5568 should read now "specifically noted **these** men held **back** in Laos. On the 28th"

Page 241, Line 5574: Phonetic transcription error

Replace first word in line ""**on**" with word "**into**"

Line 5574 should now read "**into** the Indian Ocean...".

Page 241, Line 5578: Error in date

Change date "**28th**" to "**29th**"

Line 5578 should now read "House. And then we know that on the **29th** of March that the"

Page 241, Line 5580: Phonetic transcription error

Replace word "**me**" with word "**men**"

Line 5580 should now read "their POWs were on the way home, as our **men** began stepping"

Page 242, Line 5586...Change repeated error "**SSE**" to "**SSC**" again.

Page 242, Line 5591: Misleading phonetic transcription error

Replace word "**his**" with word "**this**" and insert word "**Roger**" after word "**me,**"

Line 5591 should now read "according to **this** sworn testimony, "You did not hear me, **Roger**. The"

Note: I am citing sworn testimony before the Senate Select Committee here, of Mr. Shield verbatim

Page 242, Line 5595, Change repetitive error "SSE**" to "**SSC**" again.**

Page 242, Line 5599: Phonetic transcription error

Replace word "**and**" with word "**amid**"

Line 5599 should now read "But on May 26, 1973, **amid** continuing secret talks with the"

Page 242, Line 5602: necessary punctuation needed

Place quotation marks around words **all of Indochina.**"

Line 5602 should now read "POW/MIAs of the Paris Accords applies "**to all of Indochina.**"

Page 243, Line 5610: Phonetic transcription error

Replace word "in" with word "within" and comma punctuation needed.
Line 5610 should now read "sentence from the Vietnamese, within a few dozen days."

Page 243, Line 5620: needed quotation marks

Place quotation marks and question mark around words "did we leave men behind?"
Line 5620 should now read "of "did we leave men behind?". He said, what I recollect of his"
Note: This is a question Chairman Ackerman asked of witness Winston Lord in the hearing.

Page 243, Line 5621: Needed punctuation referring to Chairman's question earlier.

Place quotation marks around words "not want to air unfair accusations."
Line 5621 should now read "response, is that he "did not want to air unfair accusations." "
NOTE: The quotation is obvious, refers to the exchange earlier between the Chair and Winston Lord.

Page 243, Lines 5628 and 5630: Phonetic transcription and punctuation errors

Insert word "stated" between words "and I", and punctuate with quotation marks.
Lines 5628 thru 5630 should now properly read "nuclear execution codes. I walked into work one day and stated, "I will never wear the uniform again under a lying Executive". And I said "I do not care if you put me in the stockade."

Page 245, Line 5675

Insert word "it" between words "want" and word "to".

Should read now "persons who did not want it to see the light of day".

Page 247, Line 5723

Change word "proffered" to "proffer". Should read "And I proffer some of them to the committee."

Page 251. Refer to Chair's comments at Lines 5826-8, Quote "We have to talk one at a time, or otherwise it is not going to work out for the record. And I know you have a lot to say."

This entire exchange is absent certain statements I am absolutely certain the Chair made, and I made during this exchange. The reason is obviously because of the Chair's own statement above, as we garbled each other's speech in attempting to talk simultaneously.

I specifically recall the Chair saying "I will subpoena the documents and photos if necessary". I also recall the Chair firmly and unequivocally directing the Staff (he spoke on the record to Mr. Russ Wilson) to get with Mr. Toll to receive the documents aforementioned I had arrayed on the witness panel table before me



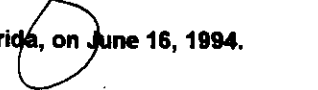
While the Chairman's remarks at Line 5821-23 state quite clearly "...we will gain access to them, or we will make every valiant effort to do so, or find out why." is clear in its intent, my specific recollection is that he also said "I will subpoena the documents and photos if necessary". Both witnesses Carol Hrdlicka and Judith Rainey have the exact same recollection as I do, and they were present in the room, or on the same panel.

Further I would not have then stated at Line 5824 that "All right, Mr. Chairman, On your word, I shall proceed to cooperate..." had I not heard the word "subpoena", as I had already stated at Lines 5804-07 that I would only "cooperate", "if you convince me the effort is going to be earnest, I certainly would. There are persons fearing political retribution Mr. Chairman, on the matter. And I take it at your word that the effort would be earnest" I also recall distinctly saying at one point after the Chair's subpoena statement to me, "Upon the representation by the Chairman, I would be glad to cooperate" That too is missing, apparently because of the garbling.

The point may be semantical to some, but it is critical to my own representations under oath. If the audio tape is indistinguishable, and the Chair does not precisely recall, then I would request this portion of my "corrections" be made a part of the record, at page 251.

Nothing further follows


BARRY ALLEN TOLL

Executed in the County of Pinellas, State of Florida, on June 16, 1994.

STATEMENT OF
 RICHARD F. SCHULTZ
 NATIONAL LEGISLATIVE DIRECTOR
 DISABLED AMERICAN VETERANS
 BEFORE THE
 SUBCOMMITTEE ON ASIA AND THE PACIFIC
 OF THE
 COMMITTEE ON FOREIGN AFFAIRS
 U.S. HOUSE OF REPRESENTATIVES
 FEBRUARY 10, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the 1.4 million members of the Disabled American Veterans and its Women's Auxiliary, may I say that we deeply appreciate being given this opportunity to present our views on United States policy toward Vietnam.

Mr. Chairman, at the outset, I wish to commend you, Ranking Member Leach, and all the members of the Subcommittee for your decision to hear the views of our nation's leading Veterans Service Organizations, family members of those missing, and other interested parties, regarding this matter of great national importance.

As the leading organization representing America's combat-disabled veterans, we have a vital interest in the issues before the Subcommittee today. Mr. Chairman, before I address our specific views concerning Vietnam, however, allow me to state the philosophy of the Disabled American Veterans regarding the general issue of POW/MIAs.

Mr. Chairman, when our national leaders have elected to send our country's best and brightest young men and women into combat, the members of our armed services have always gone into battle without hesitation. And in every case, our servicemen and servicewomen have constantly displayed valor and courage far beyond the call of duty.

In every instance requiring the use of force to protect our vital national interests, members of our Armed Forces have taken with them an unwritten, unspoken, but unbreakable contract of the battlefield. A contract from our government that simply states: We will leave no one, dead or alive, in the hands of the enemy.

Based on this unwritten, unspoken, but unbreakable contract, the DAV strongly believes that our nation has a sacred obligation to account for its missing servicemen and women who do not return from the fields of battle. This contract was meant to have no loopholes, no escape clauses, and absolutely no room for negotiation.

In our view, the U.S. government -- dating back to the end of World War II -- has failed miserably in meeting the terms of this contract. It is a great national travesty that we still have not accounted for nearly 90,000 American patriots since the end of World War II.

Mr. Chairman, every DAV member in every corner of the country has a standing obligation to press our national leaders to develop policies consistent with this unwritten, unspoken, but unbreakable contract of the battlefield in order to ensure that American fighting forces are never again used as political pawns.

Regarding the situation with Vietnam, delegates to the DAV's recent annual DAV National Convention unanimously adopted a resolution which urged the President not to lift the embargo or normalize relations with Vietnam until the U.S. government received the fullest possible accounting of our missing comrades.

At a White House meeting just hours before the embargo was lifted last Thursday, DAV Washington Headquarters Executive Director Arthur H. Wilson told President Clinton that the DAV did not agree that recent Vietnamese actions justified lifting the embargo. Wilson added that much of the information and assistance Vietnam has provided in the past six months could have been -- and should have been -- provided nearly two decades ago.

While we disagreed with President Clinton on lifting the embargo at this time, the DAV agrees with our Commander-in-Chief that resolving the POW/MIA issue should remain our nation's highest national priority. The DAV is also grateful that President Clinton -- unlike others who have occupied the Oval Office -- has made a tremendous effort to seek the advice and involvement of the major Veterans Service Organizations in seeking to resolve the POW/MIA question.

As a matter of fact, the DAV was part of a delegation sent to Vietnam last July by the President to stress to the Vietnamese government the importance of providing tangible progress on the remaining POW/MIA cases. Obviously, that trip was very successful in terms of encouraging the Vietnamese government to provide additional information.

While on that trip with Assistant Secretary of State Winston Lord, Deputy Secretary of Veterans Affairs Herschel Gober, and Lt. Gen. Mike Ryan, the DAV was also able to witness first-hand the dedication and determination of the members of the Department of Defense's Joint Task Force Full Accounting. There's no doubt that the members of the Joint Task Force are working diligently to provide as many answers as possible.

Now that the embargo has been lifted, the DAV believes that the Joint Task Force should stay intact so that we may continue to closely monitor Vietnam's level of cooperation. We also believe that the American public -- 85 percent of whom don't believe Vietnam has been forthcoming on the POW/MIA issue, according to a December 1993 Associated Press poll -- demands that our nation continue to leave no stone unturned in the quest for the fullest possible accounting.

Mr. Chairman, the DAV also believes that our nation must continue to seek the Vietnamese government's full cooperation to improve Vietnam's horrendous human rights record. Just last month, for instance, members of a humanitarian assistance group supported by the DAV and funded by the U.S. Agency for International Development, were detained and harassed by over zealous Vietnamese policemen at the Hanoi Airport for more than three hours.

The group, whose trip was sanctioned by the Vietnamese government, was in Vietnam to provide more than \$100,000 worth of prosthetic devices to needy Vietnamese war veterans -- from the North and South. Unfortunately, as the policemen ripped through the group's materials, some of the prosthetic devices were ruined, thus depriving a destitute war veteran of much-needed assistance. This type of human rights abuse must not and cannot be tolerated.

In summation, Mr. Chairman, the DAV believes that America has a sacred obligation to account for its servicemen and servicewomen who do not return from the fields of battle. We further believe that our government must develop safeguards to ensure that our nation never again places short-term economic and political agendas ahead of our nation's long-standing moral obligation to determine the fates of our POW/MIAs.

Mr. Chairman, on behalf of the Disabled American Veterans, I again thank you and the members of this Subcommittee for allowing us this opportunity. At this time, I'd be happy to answer any questions you or the other members may have.



STATEMENT OF
THE AMERICAN LEGION
1608 K Street, NW
Washington, DC 20006

by

STATEMENT OF JOHN F. SOMMER, JR.
WASHINGTON OFFICE EXECUTIVE DIRECTOR
THE AMERICAN LEGION

before the

SUBCOMMITTEE ON ASIA AND THE PACIFIC
COMMITTEE ON FOREIGN AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES

on

POW / MIA

February 10, 1994

STATEMENT OF
JOHN F. SOMMER, JR.
EXECUTIVE DIRECTOR
THE AMERICAN LEGION

BEFORE THE

SUBCOMMITTEE ON ASIA AND THE PACIFIC
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1994

Mr. Chairman and Members of the Subcommittee:

The American Legion appreciates this opportunity to present testimony on a matter of highest national priority, the issue of prisoners of war and missing in action in Indochina -- specifically on reported Vietnamese cooperation with Joint Task Force Full Accounting.

At the very outset, we want to place on the record The American Legion's definition of what would constitute the fullest possible accounting of our POW/MIAs. Our definition, which is shared by other organizations and some members of Congress is turning over live prisoners, expeditiously repatriating the remains of those who were killed in action or died in captivity, or providing a valid, conclusive report why neither is possible.

The American Legion recommends all concerned with this important issue should unite in adopting a workable, logical definition of "fullest possible accounting" so that we can all agree on the ultimate goal. As far as we know, the U.S. Government -- although it has supposedly been working to solve this problem for over 25 years -- has never articulated a definition of this fundamental objective.

In our testimony, we intend to analyze Hanoi's cooperation in the four objective areas specified by the Presidential Delegation that visited Vietnam last summer. Next, we want to acquaint the subcommittee with the multitude of problems we have encountered in dealing with the Executive Branch. Finally, we will offer some important recommendations on a viable future course of action on the POW/MIA issue.

Presidential Delegation Objectives

I was assigned by our National Commander to represent The American Legion on the Presidential Delegation which visited Vietnam last July under the leadership of Assistant Secretary of State for East Asian and Pacific Affairs Winston Lord, Deputy Secretary of Veterans Affairs Hershel Gober, and Lt. Gen. Michael Ryan, Assistant to the Chairman of the Joint Chiefs of Staff.

Before dispatching the Delegation, President Clinton made it clear that Hanoi should not expect any favorable actions by the United States until it fully cooperated in four specific areas. We would like to review each area and provide and our evaluation of the level of Vietnamese cooperation with the Joint Task Force.

1. Concrete results by Vietnam to recover and repatriate the remains of missing Americans.

Cooperation has been far from satisfactory. In 1993, joint US-SRV operations returned 67 sets of remains and only 3 of those have so far been identified as Americans. Thus, during the period 1974-1993 only 321 sets of identified remains have been returned, with 272 coming from Vietnam, 47 from Laos and 2 from the Peoples Republic of China. This averages out at about 17 per year. Even in the last three years, when Hanoi has allegedly been "fully cooperating," on average only 13 have been returned each year -- a rate only about 25 percent of the 19 year average.

Therefore, we conclude Hanoi has not been fully cooperating in this area. Particularly, when the U.S. Government has in its possession validated information that Hanoi has "warehoused" approximately 400 remains that it has strategically doled out a few at a time. In fact our own government has not provided the American public with methodology. They base their measurements toward progress in accounting.

In addition, The American Legion has obtained through declassified records compelling information that reported Americans were seen and remains of some who died between 1976 and 1980 buried outside Vietnamese prisons after 1973. The reports specifically relate to 80 Americans who died in 5 prisons not known to hold our POWs during the war. After obtaining this information, we requested a meeting of the Presidential Delegation to set forth the documents and urge expedited searches for these remains by the U.S. Government. To our knowledge, no government official had visited these five prisons other than one, Tan Lap-Phu Tho, and that was only after Senator Bob Smith's visit to the prison in July, 1993. The meeting was held on January 18, 1994, and at that time, we were told our government would follow up. This is a another glaring example of the ineptitude of the U.S. Government in its failure to check out promising intelligence information it has had in its possession for many years. We do not really expect any better results this time, as we will later detail the U.S. Government's long record of ignoring our recommendations on this important issue.

2. Continued resolution of "last-known-alive" discrepancy cases through a new priority investigation team, plus continuation of live-sighting investigations.

It is extremely difficult to analyze this objective, because the Defense POW/MIA Office gives us virtually no meaning-

ful information. According to available information, General Vessey initially compiled a group of "discrepancy cases," about 135 last-known-alive cases, and shared them with the Vietnamese. Approximately 73 of the cases are still unresolved at this date. We hasten to point out that the term discrepancy cases goes back to 1975 and the actual development of the list rests solely on the Federal Government. In addition, we have been advised that there were other equally compelling cases not added to the list at the time the group of discrepancy cases was compiled by General Vessey.

We suggest this Subcommittee should really "dig-in" regarding this objective and require the Defense POW/MIA Office to present a detailed briefing of each case, specifying investigations conducted, results achieved, the basis for closing out the case and any remaining actions to be taken. Up to this point, the Pentagon has hidden behind spurious claims of classification and privacy to prevent the families of missing servicemen and the public from learning the true status of these very compelling cases that Hanoi's hard-line communist leadership should be able to resolve to our satisfaction.

Regarding live-sighting investigations, we have have no confidence in the Joint Task Force-Full Accounting. American investigators cannot move anywhere in Vietnam without being accompanied by their "handlers," from Vietnam's Office of Seeking Missing Personnel. Further, advance notice is given to the Vietnamese so the effectiveness of U.S. personnel questioning Vietnamese citizens is jeopardized. Thus, communist officials have ample opportunity to "stage manage" each investigation.

3. Increased Vietnamese assistance in accounting for Americans missing in areas of Laos where Vietnamese forces operated during the war.

Potentially, this area should offer great opportunities since over 500 Americans are still unaccounted for in Laos and, during Operation Homecoming, no American POWs returned from Laos, although nine Americans captured in Laos returned through Hanoi. Anyone who has researched the message traffic from the American embassy in Laos in the spring of 1973 can clearly see that Laos did have live American POWs at that time, and the U.S. Government did absolutely nothing to liberate them. We have seen documents reporting land line intercepts which reveal the movement of American prisoners from Laos to North Vietnam in late 1973. While only partial information has been released to the archives, a complete search of all government records should be conducted.

Since the Defense POW/MIA Office has not given us any meaningful information on searches in Laos, we have no way to offer an evaluation. We did receive some information informally from the State Department, but not enough on which we can base a conclusion. We have heard that the first trilateral

investigation in the area of the Ho Chi Minh trail was recently conducted but have no idea of the official results received. As has happened in many aspects of this issue, the primary source of information is the news media.

We would, however, like to observe that some Members of Congress, and others favored lifting the embargo against Vietnam so that we could, in their opinion, get better access to the countryside. The illogical nature of that contention becomes apparent when you recall that the United States never broke diplomatic relations with, or imposed an embargo against, Laos -- yet results from some few investigations in Laos have been extremely meager. Further, the theory that having more businessmen on the ground in Vietnam will increase the opportunities to locate any surviving American POWs or other related information is questionable. The businessmen would seldom, if ever, venture out into the jungles and mountains and more importantly, the Communist Vietnamese government will never permit them access to prisons, or other restricted areas in that country.

4. Expanded access to archives and continuing interviews to resolve questions about the fates of POWs and MIAs.

This is the most tenuous of the four objectives. The only information we have to go on are unsubstantiated statements by various U.S. Government officials that the Vietnamese are providing more and more access to wartime documents. We have not seen these alleged documents and we have not received any information from the Defense POW/MIA Office on their detailed contents. Therefore, it is not possible to even hazard a guess as to the status of this objective. We would, however, like to observe that in December 1992 the first director of the Defense POW/MIA Office, Alan Ptak, told The American Legion that up to that point Vietnam had only provided one percent of the documents and information the U.S. Government knows they possess. With respect to the most recent release of thousands of photographs, only about one per cent of the collection reportedly pertained to POWs and MIAs. That leaves us with the presumption that Vietnam still has a long way to go in providing truly unrestricted access to relevant documents relating to missing US servicemen.

POW Survey

The American Legion firmly believes that the U.S. Government has failed to use one of the best possible sources of information on what really happened to our POW/MIAs -- the 591 American POWs who returned during Operation Homecoming.

Clearly, the former Senate Select Committee on POW/MIA Affairs shared our concern. For, after encountering a flat refusal from the Pentagon for full access to the Operation Homecoming debriefing reports (only the Chairman and Vice Chairman

were given access) -- despite the fact that 285 returned POWs waived their rights to confidentiality.

To give you a clear picture of the Select Committee's total discontent with the Pentagon's stonewalling on this vital issue, let me quote from page 270 of the Select Committee's final report, where reference is made to a request to the Pentagon for access: "The committee request was in furtherance of a complete record, the suspicions surrounding the debriefing process...." Mr. Chairman, the phrase "the suspicions surrounding the debriefing process" sums it all up -- after decades of incompetence and evasion, some within the Pentagon simply cannot be trusted to pursue one of its most essential missions -- to protect and liberate American POWs and to bring about the resolution of this issue. This has been illustrated in internal reports criticizing the handling of the POW/MIA issue, which were classified by DoD.

On page 271, the Select Committee urged DoD "to conduct a full, independent review to clarify this issue for the public. The review should be undertaken by DOD staff and not assigned to the DIA, and the results should be provided to the appropriate oversight committees of Congress and made public."

Realizing that access to POW debriefings was essential, The American Legion conducted its own survey of the returned POWs. We mailed 500 survey forms and received a relatively high response rate of 47 percent. Of those responding, we received significant indicators that some of the returned POWs believe the issue is far from resolved. Eleven percent believed they had firsthand information on POWs who did not return during Operation Homecoming. Thirteen percent believed the Vietnamese operated additional prison systems from which American POWs did not return. Fifteen percent believed the Vietnamese segregated POWs having particular technical or intelligence knowledge and either transferred them to other countries or did not return them during Operation Homecoming.

On November 16, 1993, we wrote to President Clinton requesting him to implement the recommendation of the Select Committee cited earlier. To date we have not received an acknowledgment that the White House received our letter.

The Executive Branch "Stonewall" on the POW/MIA Issue

Mr. Chairman, we would now like to very briefly cite just some of the instances the Executive Branch has turned a deaf ear to sound information and suggestions emanating from The American Legion, POW/MIA families and other organizations.

-- Investigations of live sighting reports have been nonexistent or are incomplete. Many documents received by the families have been heavily redacted and left unintelligible.

-- Pilot recognition signals (often analyzed as valid by knowledgeable military photo interpreter experts) have been debunked and ignored. Radio intercepts have been buried in the files.

-- Little or no emphasis has been placed on liberating live American POWs. The total concentration has been on sifting through dirt at crash sites. The administration reports that it recovered 67 remains in 1993, but only three have been positively identified as American servicemen.

-- The world-famous Soviet 1205 and 735 reports discovered last year have been virtually dismissed out-of-hand, despite the fact that many experts believe they establish a prima facie case that Hanoi held back hundreds of American POWs during Operation Homecoming.

-- Task Force Russia, a highly competent, dedicated group of experts searching for American POWs and remains of missing servicemen in the former Soviet Union, was disbanded just as it was starting to be effective.

-- After dedicated military officials produced a well documented report proving American POWs were taken from Korea to the Soviet Union, the Pentagon slapped a veil of secrecy over it -- despite President Clinton's promise to declassify POW/MIA documents. We understand it is now being reanalyzed under contract by the Rand Corporation.

Mr. Chairman, we could go on and on, but just this small sample indicates the scope of the problem -- for decades the Executive Branch of the U.S. Government, through faulty decisions and bureaucratic incompetence has failed in its moral duty to protect and liberate American POWs and has many times slammed the door in the face of their grieving families when they seek information about their loved ones. And always, this misdirection and incapacity has been cloaked in a totally unnecessary layer of classification, not to protect information from enemies, but from the American people.

What Needs to Be Done

Mr. Chairman, The American Legion, and its 3.1 million members from all parts of the nation, calls on you and your Subcommittee to assume a leadership role and help get the POW/MIA issue back on track toward real, effective action. We would like to briefly outline our views at this time and offer to meet with you or your staff to discuss details.

The American Legion sets forth the following recommendations:

1. Centralize POW/MIA activities in a responsible office reporting directly to the Secretary of Defense, remove the De-

fense Intelligence Agency from all POW/MIA responsibilities and make each military service responsible for its own POW/MIAs.

2. Declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to public review.

3. Reassign responsibilities for identification of remains from the U.S. Army Central Identification Laboratory, Hawaii to the Smithsonian Institution.

4. Provide adequate personnel and resources so that investigative efforts of World War II, Cold War, and Korean War POW/MIA situations can be broadened and accelerated.

5. Initiate or strengthen joint commissions with Russia, the People's Republic of China, and North Korea to increase POW/MIA recovery efforts.

6. Establish a joint standing congressional committee on POW/MIA affairs to ensure continued action by the executive branch in addressing the POW/MIA issue. Absent such a joint committee, establish a presidential POW/MIA commission comprised of nongovernmental officials.

7. Take further favorable actions toward Vietnam only after Hanoi provides the fullest possible accounting for POW/MIAs in Vietnam or in areas of Laos and Cambodia it controlled during the Vietnam War.

8. The U.S. Government should make a maximum effort to resolve the fate of unaccounted Americans from World War II, the Cold War, and the Korean War by obtaining the return of any live prisoners, the repatriation of remains, and the fullest possible accounting for the missing.

9. The U.S. Government should not provide normalization or any type of aid to North Korea until it fully cooperates on POW/MIA matters.

10. The President and Congress should establish a Prisoner of War/Missing in Action Commission, comprised of individuals to include members of the nation's major veterans organizations, for the purpose of ascertaining during any conflict that American POW/MIAs are all accounted for, treated properly, and released from captivity at the earliest possible moment (see attached letter dated February 4, 1993 to President Clinton).

11. The U.S. Government should seek appropriate changes to international laws and regulations relating to prisoners of war and missing in action (see attached letter).

In closing Mr. Chairman, we in The American Legion commend you for your interest in holding this hearing on this vital

issue. As a nation, periodically we ask our young people to go to the ends of the earth to protect the freedoms we enjoy. More and more often, our armed forces are becoming involved in peacekeeping and humanitarian missions. It is simply and absolutely unconscionable that -- for almost half a century -- the Executive Branch, regardless of which political party controlled it, has utterly and repeatedly failed in its highest moral obligation to protect and liberate American POWs and account for the missing in action. Mr. Chairman, we do not believe any reasonable person could agree with or support such a terrible blot on the conscience of America. We implore you to spare no effort to help create an effective POW/MIA Program that will correct the errors of the past to the greatest extent possible, make suitable amends to the bereaved POW/MIA families, and keep faith with those serving in the armed forces now and in the future.

Mr. Chairman, that completes our statement.

The
American
Legion

WASHINGTON OFFICE • 1608 K STREET, N. W. • WASHINGTON, D. C. 20005 -
(202) 861-2711 or 2712



OFFICE OF THE
EXECUTIVE DIRECTOR

February 4, 1994

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

During the meeting with those of us representing veterans organizations on February 3, 1994, you asked me to furnish you in writing The American Legion's recommendations which I had expressed verbally during the course of our discussion regarding your decision to lift the trade embargo on Vietnam. The recommendations, which emanate from Resolution No. 15 adopted during our 1993 National Convention are set forth below.

If anything has been learned with respect to the POW/MIA situation in Vietnam it is that it must never happen again. Therefore, The American Legion strongly recommends that you, Mr. President, and the Congress, immediately establish a national commission, comprised of individuals including representatives of major veterans organizations, to ascertain in any future conflicts involving the US armed forces that American POWs and MIAs are accounted for, treated properly and released from captivity at the earliest possible moment.

Today, members of the armed forces have no protection if captured by a hostile force. Therefore, The American Legion recommends that the Executive and the Congress seek appropriate

changes to international law and regulations relating to prisoners of war and missing in action, in order to protect current and future members of the US military services who are captured while participating in peacekeeping and humanitarian operations. At the present time they are not covered by the Geneva Conventions or any other international law.

A case in point is Army Warrant Officer Michael Durant who was captured in Somalia in October 1993. He was listed as a "detainee" rather than a prisoner of war, and had no protection whatsoever.

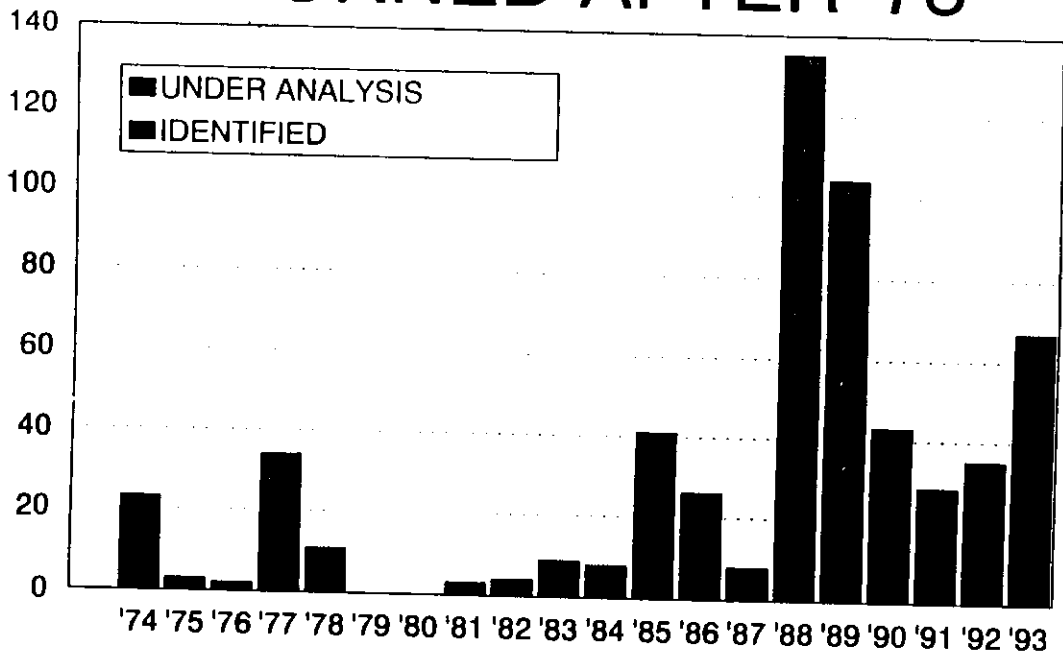
A similar and more tragic case was that of Marine Colonel Richard Higgins, who was captured by terrorists in Lebanon while serving as a United Nations observer and was executed in July 1990.

Mr. President, The American Legion takes this issue very seriously, and appreciates your interest in the recommendations that were set forth during the meeting on February 3. The protection of the members of our armed forces who are captured by hostile forces is of the utmost importance.

Sincerely,

JOHN F. SOMMER, JR.
Executive Director

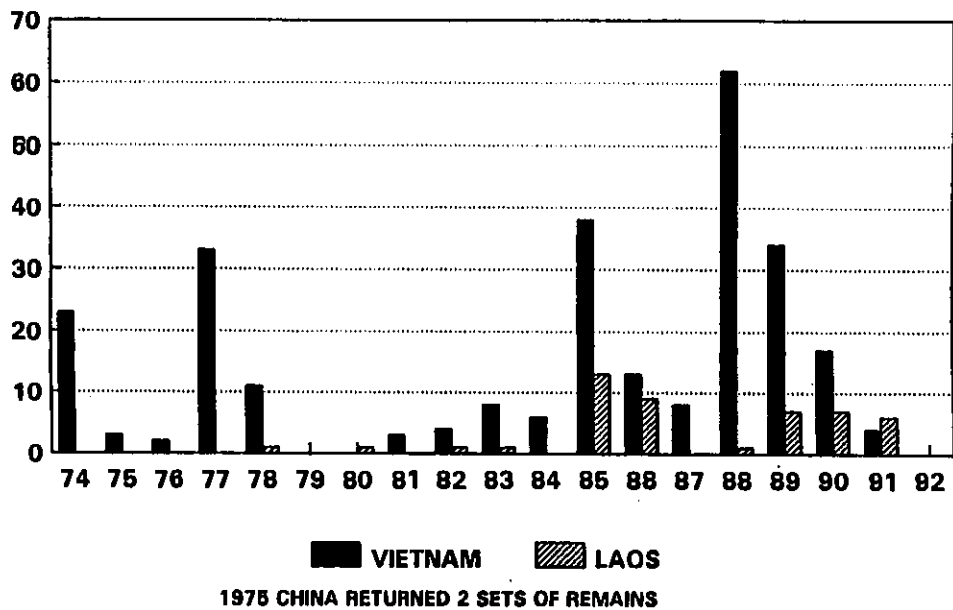
VIETNAM: U.S. REMAINS RETURNED AFTER '73



DEFENSE PRISONER OF WAR/MISSING IN ACTION OFFICE - January 27, 1994

250

318 U.S. REMAINS RETURNED AFTER 1973



251



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA
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Statement of Ann Mills Griffiths
Executive Director
National League of Families of
American Prisoners and Missing in Southeast Asia

Before the Subcommittee on Asian & Pacific Affairs
House Foreign Affairs Committee
February 10, 1994

Mr. Chairman, Members of the Committee.....Thank you for the opportunity to be here today to represent the POW/MIA families.

Although we support a policy of reciprocal steps by the U.S. to respond to concrete Vietnamese actions which account for missing Americans, we strongly opposed President Clinton's decision to lift the embargo at this time. In our view, the President's decision was premature and based upon an orchestrated series of events. Senior Clinton Administration officials and military officers heaped praise on Vietnam for cooperation and POW/MIA results which, by omission, were vastly over-stated, even distorted.

The final push to get the embargo lifted was kicked off by Assistant Secretary of State Winston Lord's mid-December trip, during which he termed Vietnam's cooperation as "absolutely superb" and noted that the Vietnamese were going "all out" to be cooperative. His trip was followed by the spate of Senate delegations, all reportedly briefed by Joint Task Force-Full Accounting Commander Major General Thomas Needham or his subordinates that if the embargo were not lifted immediately, all POW/MIA cooperation with Vietnam would halt. Then followed Senator John Kerry, again praising Vietnam's cooperation as he has so many times in the past.

Topping off this public relations stream was Admiral Charles Larson, Commander in Chief of U.S. Forces Pacific, the most senior active-duty officer to visit Vietnam since the end of the war. Widely quoted by the media and subsequently by the Senate in considering their vote on the Kerry/McCain amendment, Admiral Larson expressed his belief that the Vietnamese "are not holding anything back." Like his subordinate General Needham, the Admiral was even quoted as advocating that the embargo be lifted, stating that it would facilitate achieving the fullest possible accounting.

This orchestration set the stage for passage of the Kerry/McCain amendment to give President Clinton the political cover his advisors felt he needed to move forward. This great push occurred despite the lack of evidence that Vietnam is being fully forthcoming. In fact the U.S. Government holds evidence to the contrary, but policy-level administration officials are dismissing or ignoring its relevance.

There is no evidence to refute 20+ years of intelligence assessment that Vietnam can unilaterally account for hundreds of Americans if they make the political decision to do so. There is nothing except Hanoi's denials, and senior Vietnamese authorities who have lied again and again -- during the war, after the Paris Accords, to Reagan and Bush administration officials, to the families, to General Vessey, to our nation's veterans and to Members of Congress. Yet, policy-level officials in the Clinton Administration continue to insist that Vietnam's cooperation is "outstanding, absolutely superb," etc. They label progress as "enormous" and "significant" or another "breakthrough." These same officials admitted not even having read the negotiating record covering the crucial years of 1982-1989 before entering what they term negotiations.

Earlier, the League had opposed President Clinton's July 2nd decision to drop U.S. opposition to the clearing of Vietnam's arrears in the IMF and his September 13th decision to ease the embargo to permit American businesses to participate in bidding for internationally funded contracts in Vietnam. We viewed these steps as signaling Hanoi that their consistent policy of withholding records and remains of Americans was succeeding. Now, in effect, the Clinton Administration has fully endorsed Hanoi's rhetoric and cited the level of POW/MIA activities as results sufficient to gain their national economic and political objectives. This, despite the President's listed POW/MIA criteria which, by any objective assessment, have not been met.

The President's earlier commitments and assurances were obviously set aside last week when he decided not only to lift the embargo, but to "establish a liaison office in Vietnam to provide services to Americans there and help us pursue a human rights dialogue with the Vietnamese government." But, the President went on to assure our nation, "These actions do not constitute a normalization of our relationships. Before that happens, we must have more progress, more cooperation and more answers." What the President didn't say was more accountability - the man alive, or his remains or convincing evidence as to why neither is possible.

We are realistic; we don't get false hope, and our sense of responsibility has been demonstrated over the years. Our expectations are based solely on U.S. Government evidence which is known to the families and was for many years the subject of official testimony before the House and Senate. We don't expect to receive accountability for all missing Americans, but we want and deserve real, measurable results which bring peace of mind to the families.

President Clinton, U.S. Senators, and administration officials and military officers have all stated their view that lifting the embargo will bring greater results. During the Senate debate on the Kerry/McCain amendment, most Senators who voted in favor cited the hope for more progress in the interest of the POW/MIA families as a primary rationale. History does not validate their assumption. I hope that I am wrong, but years of direct experience tell me that inducements don't work.

Regretfully, each year since the end of the second Reagan term has been more difficult and frustrating. Especially since 1989, we have seen the core of the issue -- Vietnam's knowledge and ability to unilaterally return remains being withheld -- virtually ignored, while the focus turned to expanding the process. The shift from serious negotiations to field operations was further altered with formation of the Joint Task Force-Full Accounting, a decision made late in the Bush Administration.

The dedication and hard work of the newly assigned field personnel are recognized and deeply appreciated, but the current operational approach to resolve the core issue is one which does not have the families' trust. Field operators, particularly without the years of investigative experience, knowledge of the issue and language ability, cannot be expected to obtain results during field operations which have been recovered previously by Vietnamese personnel and are being withheld.

We have learned to suspect and fear the definition of "progress" as defined by JTF-FA and the policy-level bureaucracy. Just prior to President Clinton's July 2nd decision to remove U.S. objections to international loans to Vietnam, I met with the President. He assured me that if he decided to move on the IFI's, not one step forward would be made to lift the bilateral embargo or normalize political relations without progress on POW/MIA....again....the definition of progress becomes crucial.

The families can count; we know that only 11 Americans previously missing in Vietnam have been accounted for over the past two years. That is a statistic you don't see in the public statements recently made by senior U.S. officials. Even the President stated, "Since the beginning of this administration, we have recovered the remains of 67 American servicemen." Though misinformed, the President's statement is inaccurate; never before have unidentified remains been listed as remains of American servicemen.

In February 8th's WASHINGTON TIMES, and across the country since the report was by George Esper of ASSOCIATED PRESS, Army LTC John Cray, head of the JTF-FA office in Hanoi, was quoted as stating, "This is the first repatriation ceremony since the embargo has been lifted. I think that instead of hurting, it will in fact enhance our process."

Even worse, LTC Cray goes on to state, "We have no evidence that they're holding any warehouse full of remains as occurred in the past." These statements are not true! It should concern the Congress, the executive branch and the Army, as it does us, that this recently assigned infantry officer with no knowledge of the negotiating history or intelligence assessments regarding remains being withheld by Hanoi is being widely quoted on his beliefs.

In February 7th's NEW YORK TIMES, Admiral Elmo Zumwalt, Chief of Naval Operations from 1970-1974, wrote in support of the President's decision to lift the embargo, citing the turnover that same day of 12 unidentified remains as "a promising first step" by Hanoi to respond. He echoed other State and Defense Department public affairs distortions, perhaps another victim of "spinmasters" distributing inaccuracies. The question is, are we going to continue to see such official distortions? Are all long-delayed bits and pieces of progress to be credited to the embargo lift? I believe the Subcommittee could play an important role by establishing a baseline for truthful reporting on the POW/MIA issue and I would be happy to work with your staff on such an effort.

Some important summary documents have been provided, but the case-specific source documents which went into preparation of the summaries are being withheld. You don't see any emphasis on the fact that from over 30,000 artifacts, documents, photos and materials reviewed by U.S. specialists, only 570 correlate to 242 missing Americans, though some in that number are duplicates. That huge volume of material pertains largely to returned POWs and other accounted for U.S. personnel. Of the 570, less than a dozen contain really new case-related information.

According to our own government's intelligence, considered valid until the Clinton Administration, the Vietnamese have not responded in good faith and are not responding in good faith now. It appears, however, that the President was convinced by policy-level officials in the bureaucracy that the best way to resolve the issue is to offer incentives, betting on the come that Hanoi will respond. Again, I hope they are right, because we, the families, and our nation's veterans have the greatest stake and will be watching closely. But, we need to look at the baseline facts:

- Vietnam is capable of holding Americans alive; unresolved discrepancy cases of Americans last known alive, as well as Vietnam's historical record of manipulation, gives this perception greater credibility.
- Vietnam can rapidly account for hundreds of missing Americans with a collective decision in Hanoi to repatriate readily recoverable remains.

- Further, the fate of a significant number of other Americans where remains are not as readily available can be ascertained through open access to Vietnamese archives.
- Vietnam's knowledge and ability to account for Americans extends to Laos, not only in areas along their shared border but in many other areas of Laos controlled by Vietnamese forces during the war. This fact is confirmed not only by U.S. intelligence but by knowledgeable sources of the former Soviet Union.

I hear increasingly from some in government that pressures are being applied to skew the long-accepted data base by omitting relevant facts that would give an accurate perception, but less positive for the Vietnamese. Redefinition of long accepted terms is taking place. Rather than focusing on results which account for our missing, cases of Americans last known alive are being investigated to determine fate or confirm death.

We are told that information gathered through joint investigations has been sufficient to confirm the death of 123 of these discrepancy cases, and we welcome that confirmation. Not stated, however, is that in most such cases, information also confirms that remains are likely available to the Vietnamese but have not been returned.

A glaring omission by Vietnam is their failure to return remains of 98 Americans involved in 84 incidents carried by the U.S. Government as remains discrepancies and the U.S. Government's failure to emphasize Vietnam's lack of serious responsiveness. These are individuals known dead through photographs, listed by Vietnam as having Died in Captivity or on graves registration documents, and joint field investigation reporting that Vietnamese authorities had earlier recovered the remains.

There is some reason for optimism that the special U.S. remains team is making progress, reportedly having located, with Vietnam's cooperation, grave sites of seven who died in captivity in southern Vietnam. But, we have always known they were there. Hanoi was asked to provide them during almost every negotiation since the end of the war, and these cases were highlighted in the proposed two-year plan in 1985. The majority of the 84 incidents, however, occurred in northern Vietnam where remains are known to have been recovered, stored and still withheld by Hanoi.

Similar distortions occur in official statements addressing trilateral cooperation -- the effort to investigate incidents of missing U.S. personnel lost along the border of Laos and Vietnam in areas controlled by Vietnamese forces during the war.

We were hopeful when Vietnam provided the Group 559 summary of shoot-downs along one area of the border, and apparently there were references to 217 U.S. personnel involved in 111 incidents. Vietnamese officials, however, did not provide the case-specific documents used to compile the summary, so little useful information in terms of accountability was obtained. Nevertheless, if the Vietnamese provide the case-related data, follow-up of possible leads in the Group 559 summary, and advance requests of the Lao are made to permit Vietnamese eye-witnesses to cross the border to assist in field investigations, there is reason for some optimism that results can be achieved. Unlike incidents which occurred in heavily populated areas of Vietnam, those lost in remote areas along the border or elsewhere in Laos have a better chance of results from joint field operations.

Significant differences exist regarding efforts to account for Americans missing in Laos and those missing in Vietnam. Nearly 85% of the 509 Americans unaccounted for in Laos were lost in areas under Vietnamese control at the time. All but a handful of the roughly 70 last known alive discrepancy cases in Laos were lost in such areas. A decision by the Vietnamese leadership to release relevant documents is crucial to accounting for these Americans, though territorial access is the Lao Government's responsibility,

In Laos, there has been marked improvement in accessibility, as well as flexibility during joint field operations, and the rate of recovery from excavations has also improved. With greater sensitivity to Lao concerns about questions of territorial integrity, I believe the bilateral US/Lao and trilateral US/Lao/Vietnamese processes holds significant potential for real accountability.

Looking to the prognosis for results from Vietnam post-embargo, it again appears that further steps will depend on the bureaucracy's definition of progress and cooperation. With recent experience as a guide, we have reason for continued serious concern. Despite solid intelligence and forensic evidence that Vietnam continues to withhold readily available remains and information, and the fact that there is no evidence to the contrary, policy-level officials in the bureaucracy seem determined to round the edges on intelligence to reduce accounting expectations.

There are specific ways to measure whether current pledges of continued priority are being implemented, and it is our hope that this Subcommittee will watch the situation closely, as we will. Most important is whether the Clinton Administration will finally decide to negotiate on the core accountability issue -- the remains and case-specific documents that are known to be withheld. Such an approach may not lend itself to advance publicity, but the Congress can request advance notification and obtain classified debriefings after the fact.

I also recommend that you ask for briefings from former DIA personnel now assigned to the Defense POW/MIA Office on Vietnam's knowledge base and ability to provide documents and return remains which would account for hundreds of Americans. In this regard, it is important that the Record include a copy of the interagency-approved official text provided to the Vietnamese in May, 1992 at the policy and technical levels.

Official intelligence assessments on cases that Vietnam could resolve unilaterally through remains repatriations have remained in the hundreds. This includes at least three assessments from 1987 to 1992. Did all of the intelligence change in one year? Apparently Admiral Larson, Major General Needham and LTC Cray think so. I believe that the Congress should request these assessments. If the Clinton Administration has a new one, they should let us know, but the rationale and the experience level of the analysts need to be evaluated as well.

Another means to measure our own government's seriousness is to monitor JTF-FA for any reduction in funding, personnel or resources. If reductions are proposed, and there are certainly noises to that effect in Cambodia, then it will be easily noticed. Already, DIA's Stony Beach POW/MIA operation in Thailand, though authorized 27 personnel at its height, has been reduced to 21 authorized billets. In fact, current manning is less than half that number, and I am told that the empty 13 slots will not be filled with permanent personnel. This needs to be corrected; with Congressional oversight, I'm confident that the manning problem would be solved.

The files of the former Soviet Union also have an invaluable contribution to make in getting to the truth on the POW/MIA issue. Renewed and expanded access to the GRU and Central Committee and Politburo files in Moscow is crucial. I hope that this Committee will intervene with Russian authorities to that end on behalf of Dr. Stephen Morris as well as U.S. specialists. The President should also be requested to intervene with Russian President Yeltsin.

I was alarmed recently to learn that Russian officials are apparently questioning whether the U.S. really wants additional Vietnam War documents. Reportedly officials in the Russian Ministry of Foreign Affairs have heard from some unnamed U.S. State Department official that the turnover of what is known as the "1,205 Document" was "harmful to U.S.-Russian and U.S.-Vietnamese relations." Apparently, the Russians were of the opinion that our own State Department officials "were not pleased with the release of the document and were discouraging further releases of such documents."

The interim analysis of the "1,205 Document," the "Dang Tan Reports" and the "725 Document" pertaining to Vietnam having withheld hundreds more Americans than were known to the U.S. Government was inconclusive. It was "deja-vu" to see the official verbiage which, for the most part, reminded this reader of an old theme: If it doesn't match what we already know, it can't be true." In this case, that which was judged accurate pertained to other matters; that judged invalid pertained to POW/MIAs. Though an admittedly interim report, the timing of release was more than coincidental - to at least partially meet the President's pledge that an evaluation would be made public before he authorized further economic or political steps with Vietnam.

With the lack of integrity and principle recently displayed by some U.S. officials, were you in our position, I believe you would share our concern and our shaken trust and confidence.

Thank you, Mr. Chairman, and I look forward to your questions.



NATIONAL LEAGUE OF FAMILIES
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202/224-6886 UPDATE LINE 202/659-0133

STATUS OF THE POW/MIA ISSUE: January 12, 1994

2,238 Americans are still prisoner, missing and unaccounted for from the Vietnam War. A breakdown by country of loss follows: Vietnam 1,647 (North - 602; South - 1,045); Laos - 305; Cambodia - 78; Chinese territorial waters - 8. Over 80% of U.S. losses in Laos and 90% of those in Cambodia occurred in areas controlled by Vietnamese forces during the war. The League seeks the return of all prisoners, the fullest possible accounting for all missing Americans and repatriation of all recoverable remains.

At the forefront of the League's efforts is resolving the live prisoner issue. Official intelligence information supports the fact that Americans known to have been alive in captivity in Vietnam, Laos and Cambodia did not return at the end of the war. In the absence of evidence to the contrary, it can only be assumed that these Americans remain alive in captivity today. As a matter of policy, the USG operates under the assumption that U.S. POWs could still be held.

Archival research in Vietnam has produced over 20,000 documents, photographs and other materials related to U.S. POW/MIA's; only approximately 1% of the new information relates to missing for Americans. Unilateral Vietnamese repatriation of remains has been the most productive means of achieving accountability. Despite the extensive joint field activities in Vietnam, only three Americans were accounted for in 1993 from that process. The decreased number of experienced specialists directly involved in the in-country accounting process has brought justifiable criticism from the families and veterans. The League believes that it is imperative to have language-capable, knowledgeable personnel conducting all aspects of joint field operations in all three Indochina countries.

Joint field activities in Laos have been productive and, increasingly, the Lao Government has permitted greater flexibility while U.S. teams are in-country. In Cambodia, joint investigations, excavations and surveys have now resumed due to increased stability brought by the newly established Cambodian Government. Unlike Vietnam where a comprehensive wartime and post-war process for collection and retention of information and remains is known to have existed, joint field operations are crucial in Laos and Cambodia.

Hanoi's calculated decision to withhold information on and remains of America's missing continues unabated. U.S. intelligence confirms that hundreds of U.S. personnel could rapidly be accounted for through unilateral action by Vietnam to repatriate remains and provide relevant documents. Despite these facts, U.S. officials continue to praise Hanoi in an apparent effort to persuade Congress and the American people that the embargo should be lifted and relations normalized. The League supports a policy of reciprocal steps by the U.S. to respond to concrete results, but opposes meeting Hanoi's economic and political objectives until their leaders decide to cooperate seriously.

For the latest information, call the League's Update Line, 202/659-0133, 24 hours a day.

STATISTICS

As of December 15, 1993, 1,715 first-hand live sighting reports in Indochina have been received since 1975. 1,694 of these reports have been resolved, the majority of which pertain to individuals who have since left Indochina (returned POWs, missionaries or civilians detained for violating Vietnamese codes). Approximately 25% were determined to be fabrications. Twenty-one first-hand sightings are still unresolved and are under priority investigation using all available intelligence assets. The 21 can be further divided: 12 deal with reported Americans sighted in a prisoner situation, and 9 in non-prisoner situations. The years during which these 21 first-hand sightings occurred is listed below:

Year	Pre-75	75	76	77	78	79-80	81	82	83-91	92	93	TOTAL
POW	7	0	0	0	2	0	0	1	0	0	2	12
Non-POW	1	0	3	2	2	0	0	0	0	1	0	9

At the end of the Vietnam War, there were 2,583 Americans who were listed as prisoner, missing, or killed in action/body not recovered. As of January 12, 1994, 2,238 are still missing or unaccounted for from the Vietnam War. Following is a breakdown of the 345 Americans accounted for since the end of active U.S. involvement in the War:

1974-1975	Post war years:	28
1976-1978	US/SRV normalization negotiations:	47
1979-1981	US/SRV talks break down:	4
1982-1984	1st Reagan Administration	20
1985-1988	2nd Reagan Administration	145
1989-1992	Bush Administration	96
1993	Clinton Administration**	5

Over 90% of the 2,238 missing Americans were lost in Vietnam or in areas of Laos and Cambodia controlled by Vietnamese forces during the war. While unilateral Vietnamese repatriations of remains have accounted for the vast majority of the returned Americans, all but 3 of the Americans accounted for in Laos have been the result of joint excavations. The breakdown by country of the 345 Americans accounted for since 1973:

Vietnam	280	Laos	56
China	2	Cambodia	3
Other*	4		

*Recovered by indigenous personnel; 1 from NVN and 3 from Laos.
**3 from Vietnam; 2 from Cambodia



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UPDATE LINE: 202/659-0144

**POW/MIA AGREEMENTS BETWEEN THE US AND SRV
February 1982 - August 1993**

February, 1982: Delegation to Hanoi, led by Deputy Assistant Secretary of Defense Armitage, met with Vietnamese Deputy Foreign Minister Dinh Ngo Liem. Vietnam agreed:

- * In principle to continue working level, technical meetings between JCRC/CILHI and VNOSMP and consider the rate of four per year.
- * To send a team to CILHI and JCRC.
- * To consider the US proposal for joint US/SRV searches.

September, 1982: Four Member League Delegation to Hanoi** met with Vice Foreign Minister Vo Dong Giang and others.

- * Vietnam announced that they would accept the US proposal to meet four times a year on POW/MIA.

4 REMAINS RETURNED IN 1982 WERE IDENTIFIED AS AMERICANS

July, 1983: Reacting to Secretary of State Shultz's remarks during the ASEAN Post-Ministerials in Bangkok (that Vietnam was holding over 400 US remains), the SRV suspended further technical talks, citing "hostile statements" by senior Administration officials.

September, 1983: League Executive Director Griffiths met in New York with FM Thach (first meeting).

- * FM Thach denied that Vietnam was withholding remains, as stated by Secretary of State George Schultz during the ASEAN post-ministerials (that over 400 remains are being withheld by the Vietnamese).
- * League reaffirmed US position on the report as credible, noting that Vietnam had done little to dissuade the US position.
- * League provided current US Government position on live POWs, President's commitment on POW/MIA and arranged for direct, policy level talks in NY.

October, 1983: NSC Director for Asian Affairs Childress and League Executive Director Griffiths met in New York for informal, very direct discussions over dinner with FM Thach.

- * US views and expectations on POW/MIA were provided, citing examples of discrepancy cases.
- * Both sides agreed that cooperation would be on a humanitarian basis.

- * NSC clarified that Vietnam should position itself for improved relations by moving bilaterally to resolve the POW/MIA issue, thus giving the US flexibility to move forward once a Cambodia settlement was achieved.
- * Thach agreed in principle to receive in Hanoi a senior US delegation to discuss expanding US/SRV cooperation; agreement was confirmed in November.
- * Discussions were held on easily resolvable cases in the "Hanoi/Haiphong area."

8 REMAINS RETURNED IN 1983 WERE IDENTIFIED AS AMERICANS

January 1984: Joint Communiqué issued by SRV, LPDR and PRK.

"With the spirit of friendship between the American people and the three Indochinese peoples which was strengthened in the struggle against the war of aggression waged by the U.S. leaders in Indochina, on the basis of humanitarianism, and understanding the American people, each country in Indochina will try to inform one another about the Americans missing during the war in Laos, Vietnam and Kampuchea."

February, 1984: Statement issued by US and SRV governments prior to USG delegation to Vietnam.

"By mutual agreement, the governments of the United States and the Socialist Republic of Vietnam believe that the issue of Americans missing in Vietnam is a humanitarian one to be dealt with through mutual cooperation and good will...."

February 1984: Delegation to Hanoi** led by Assistant Secretary of Defense Armitage. (NSC/Childress delivered Shultz letter.) Vietnam agreed:

- * To accelerate efforts to achieve fullest possible accounting.
- * That initial efforts would focus on "easily accessible cases in the Hanoi/Haiphong area" (discrepancy cases) and easily retrievable remains.
- * Provided new information on several missing Americans.
- * To resume technical meetings in the near future.

April, 1984: League Executive Director Meeting with Vietnamese Ambassador Hoang Bich Son in New York. The Ambassador:

- * Affirmed Vietnam's intention to honor pledges to accelerate efforts to account for missing Americans, concentrating

initially on "accessible cases."

Affirmed Vietnam's pledge to officially release to the U.S. Government remains of several missing Americans promised during earlier technical meetings.

October, 1984: NSC/Childress led a US delegation to New York** for meetings with FM Thach and other SRV officials. Cooperation had stalled over SRV perception regarding U.S. "hostilerhetoric" and U.S. sale of radar to the PRC. Thach:

Stated the SRV's intention to accelerate efforts on efforts to resolve "accessible cases in the Hanoi/Haiphong area."

Agreed to focus on resolving cases listed by the Provisional Revolutionary Government (PRG) as died in captivity in South Vietnam.

Stated the SRV's intention to send teams into the countryside to follow-up reports and to locate first-hand sources of information related to Americans missing in Vietnam.

Strengthened Vietnam's prior commitments, emphasizing that his government wanted to move rapidly to resolve the humanitarian, problems which still divide the US and SRV and move forward to improve the atmosphere between the two countries.

6 REMAINS RETURNED IN 1984 WERE IDENTIFIED AS AMERICANS

January, 1985: League Executive Director Griffiths met in NY with SRV Ambassador Hoang Bich Son.

In response to expressed U.S. disappointment that efforts were moving too slowly, the SRV Ambassador pledged that "1985 will be a year of progress on the MIA issue."

March, 1985: NSC/Childress led a US delegation to Hanoi** for lengthy discussions with FM Thach. In response to US initiatives to expand joint efforts through development of a comprehensive two-year plan, Thach:

Agreed to increase the number of technical level meetings from four to a minimum of six per year, or more if warranted.

Agreed to expedite the return of remains promised in February to technical officials. (Six remains, the first (2) from the PRG's DIC list addressed in Thach's 1984 pledge, were repatriated later in March.)

Reaffirmed Vietnam's agreement to focus efforts on resolving "accessible cases in Hanoi/Haiphong area."

To consider the US-proposed two-year plan to expedite resolution of the issue.

July, 1985: As a result of discussions in New York between Indonesian Foreign Minister, NSC/Childress, League/Griffiths, SRV Foreign Minister Thach agreed to FM Mochtar's proposal to renew negotiations with senior US officials aimed at resolving the (POW/MIA) issue within two years.

August, 1985: NSC/Childress led a US delegation to Hanoi** for meetings with Acting Foreign Minister Vo Dong Giang. During side conversations, Childress raised the need for unilateral SRV efforts to locate and return U.S. citizen Robert Schwab.

- * US proposed a comprehensive bilateral work plan to accomplish the US objective of resolving issue within the pledged two-year time frame. (The US proposal included establishing a technical presence in Hanoi, subsequently rejected by Vietnam unless they could establish a reciprocal office in Washington, D.C.)
- * Vietnam provided their own plan to the US which included political statements, Cambodia-related matters and language which relegated POW/MIA issue to remains recovery.
- * Both sides agreed to meet in New York in September to resolve differences over each side's version of a two-year plan to resolve the issue.
- * Vietnam stated their willingness to continue investigating any reports on live POWs which arise.
- * Vietnam agreed to check with official in the south on the case of U.S. citizen Robert Schwab.

September, 1985: NSC/Childress led a US delegation to New York** for follow-up discussions with Minister Vo Dong Giang.

- * US provided input on Vietnam's version of a two-year plan which was accepted in principle, with a commitment for further consideration and response.
- * Vietnam affirmed willingness to conduct a joint crash site excavation near Hanoi (conducted 11/85) and pledged that additional US remains would soon be repatriated (returned 7 remains in 12/95).
- * Vietnam clarified that bilateral cooperation to resolve the issue and their commitment to accelerate efforts are not linked to any other matters.
- * The US agreed, again noting that ongoing bilateral cooperation on POW/MIA would position the SRV for improved relations once a Cambodia settlement was achieved.

38 REMAINS RETURNED IN 1985 WERE IDENTIFIED AS AMERICANS

January, 1986: Assistant Secretary of Defense Armitage led a US-proposed delegation to Hanoi**, including Assistant Secretary of State Wolfowitz and NSC/Childress who again raised the case of U.S. citizen Robert Schwab, urging immediate answers. Meetings with SRV Foreign Minister Thach brought Vietnam's affirmation of the following:

- * Vietnam's willingness to investigate any live sighting reports the US provides, as well as those which unilaterally come to their attention.
- * Agreement to conduct multiple field activities in cooperation with the US.
- * Thach reiterated the SRV position that resolving the POW/MIA issue is a humanitarian matter, to be settled regardless of political or policy differences which divide the two countries.
- * Vietnam reaffirmed all earlier agreements, including unilateral search efforts into the case of U.S. citizen Robert Schwab.

April, 1986: At Vietnam's request, League Executive Director met in New York with Vietnamese Ambassador Bui Xuan Nhat.

- * Ambassador conveyed Vietnam's perception that the US Government lacked formal commitment to the two-year work plan to resolve the POW/MIA issue.
- * Ambassador cited FM Thach's statement, issued from the non-aligned conference in New Delhi, that talks with the US on the humanitarian POW/MIA issue could not proceed, linking future talks and cooperation to US actions in combating international terrorism (Libya).
- * Griffiths rejected SRV claims of inadequate USG commitment and Vietnam's decision to link humanitarian POW/MIA cooperation to the terrorism problem, urging immediate resumption of joint efforts.

May, 1986. NSC/Childress led a US delegation to New York** for talks with SRV Deputy Foreign Minister Hoang Bich Son.

- * Vietnam agreed to resume/reschedule technical level activities.
- * Vietnam announced an increase in personnel and resources in their VNOSMP.
- * Vietnam affirmed earlier telephone/letter notification that U.S. citizen Robert Schwab had been located in the south and would be repatriated soon.

July, 1986: NSC/Childress led a US delegation to Hanoi** for meetings with SRV Foreign Minister Thach. Vietnam...

- * Assured the US that cooperation would continue and accelerate separate from other matters.
- * Agreed that US and SRV technical representatives would meet in August and October, and stated that the results of these meetings would be "very productive."
- * Agreed that US and SRV forensic specialists would meet in Vietnam for consultations.
- * Agreed to provide to the US, in writing, the results of its investigations into reports of live prisoner sightings.
- * Agreed to allow US experts to accompany its officials on investigations in accessible areas.
- * Agreed to advance discussion of specific crash sites for joint excavation.
- * Accepted a US invitation for another visit to the CILHI and JCRC facilities.
- * Agreed on sensitive arrangements to repatriate U.S. citizen Robert Schwab.

August, 1986: NSC/Childress undertook a special, secret mission to HCMC to repatriate U.S. citizen Robert Schwab.

October, 1986: Deputy Assistant Secretary of State Monjo led a US delegation to New York** for meetings with SRV Minister of State Vo Dong Giang.

- * Vietnam reaffirmed that current cooperation is not linked to normalization of relations or any other political consideration.

In a separate, three-hour meeting with Minister Giang, Childress urged renewed cooperation on the two-year plan which, it was obvious, Vietnam did not intend to implement. Giang:

- * Commended the sensitivity with which the Robert Schwab repatriation was handled.
- * Commented that should this or a similar situation arise in the future, it should be handled in this manner, i.e. close hold, without public pronouncements or recriminations.

13 REMAINS RETURNED IN 1986 WERE IDENTIFIED AS AMERICANS

April, 1987: President Reagan publicly announced his appointment of General John W. Vessey, Jr., as Emissary to Hanoi on POW/MIA. (This action, initiated in October, 1986 and decided in February, 1987 was due to a near-total halt in SRV cooperation.)

May, 1987: NSC/Childress led a US delegation to Hanoi** to establish a valid framework for a proposed mission by Vessey-led US delegation.

- * Vietnam reaffirmed that cooperation to resolve the POW/MIA issue and other humanitarian problems is separate from political matters which divide the two countries.
- * Vietnam expressed concern over perceived US failure to "create a favorable atmosphere" for cooperation, citing the need to motivate the Vietnamese people to gain their assistance.
- * Vietnam cited U.S. foreign policy as "hostile."
- * Vietnam agreed, after very tough rhetorical talks, to accept Presidential emissary without preconditions.

August, 1987: Presidential Emissary to Hanoi for POW/MIA Affairs General Vessey led a US delegation to Hanoi** for meetings with SRV Foreign Minister Thach in an effort to gain renewed cooperation.

- * Vietnam pledged to renew POW/MIA cooperation, focusing initially on discrepancy cases and those listed as died in captivity in the South (emphasis on 70 cases termed "most compelling" by General Vessey).
- * Both sides reaffirmed that cooperation on POW/MIA and other humanitarian issues would be pursued separate from political matters such as normalization of relations.
- * Specific measures were agreed upon to accelerate progress toward accounting for missing Americans.
- * Both sides agreed to hold subsequent meetings of POW/MIA experts on these matters.
- * The US agreed, within legal and policy constraints, to address certain urgent humanitarian concerns of the Vietnamese, focusing initially on the disabled.
- * The US agreed to send a team of humanitarian experts to meet with their Vietnamese counterparts and to compile information on the problems of disabled, focused on prosthetics. (Results of studies to be provided to American NGO's.)

September, 1987. General Vessey led a US delegation to New York** for discussions with SRV Deputy Foreign Minister Nguyen Dy Nien to follow up the early August talks in Hanoi.

- * Discussions focused on both sides' steps to address the humanitarian concerns of the other and further actions required.

December, 1987: NSC/Childress led a US delegation to New York** for meetings with SRV officials at the UN to urge more rapid cooperation; the SRV agreed to technical talks in January, 1988.

6 REMAINS RETURNED IN 1987 WERE IDENTIFIED AS AMERICANS

June, 1988: General Vessey led a US delegation to New York* for meetings with SRV Foreign Minister Thach.

- * Vietnam and US renewed agreement to accelerate cooperations on the respective humanitarian concerns of the other.
- * FM Thach agreed to work seriously to fulfill the agreements reached in August 1987, including the requested focus on resolving discrepancy cases.
- * Agreement was reached to allow Vietnam's POW/MIA technical personnel to visit the JCRC and CILHI.
- * FM Thach agreed in principle to conduct joint field activities (surveys and excavations).

August, 1988: By letter to General Vessey from FM Thach, Vietnam announced temporary suspension of their offer for joint field activities, citing US "hostile policy" as the rationale.

September - December, 1988: Vietnam's September agreement to resume cooperation on POW/MIA brought significantly increased remains repatriations and increased joint field operations, a pattern which continued until the first part of 1989.

October, 1988: General Vessey led a US delegation, including Assistant Secretary of State Gaston Sigur, to New York** for meetings with SRV Vice Foreign Minister Tran Quang Co.

- * Discussions focused on increasing bilateral cooperation on the POW/MIA issue and other humanitarian concerns of interest to both countries.
- * Vietnam and the US agreed that joint investigations and surveys should be continued as should work at the technical level to make joint efforts more efficient and productive.

62 REMAINS RETURNED IN 1988 WERE IDENTIFIED AS AMERICANS

February, 1989: President Bush reappointed General Vessey as Special Emissary to Hanoi for POW/MIA Affairs.

October, 1989: General Vessey led a US delegation to New York** for preliminary discussions with SRV Vice Minister Nguyen Dy Nien to affirm the agenda for a Vessey-led US delegation to Hanoi*. Discussions with SRV Foreign Minister Thach brought the following:

- * Vietnam agreed to expand and refine the joint process to account for missing Americans.
- * Vietnam agreed to conduct additional research efforts to obtain data regarding previously investigated discrepancy cases, additional compelling discrepancy cases and incidents which occurred in what were then Vietnamese controlled areas of Laos.
- * Vietnam and US agreed to continue and expand joint endeavors to support bilateral efforts, particularly dealing with field investigations and the need for specific data, as well as access to eye-witnesses.

December, 1989: Deputy Assistant Secretary of State Lamberton led a US delegation to New York** for talks with SRV Ambassador Trinh Xuan Lang.

- * The US stressed the need for more serious implementation of the October 1989 Vessey/Thach agreements for accelerated cooperation.
- * Vietnam reaffirmed their pledge to increase cooperation.

33 REMAINS RETURNED IN 1989 WERE IDENTIFIED AS AMERICANS

September 1990: Assistant Secretary of State Solomon led a US delegation, including General Vessey, to New York** for discussions with Vietnamese Vice Foreign Minister Le Mai.

- * Discussions focused on Cambodia and the need to move rapidly to resolve the POW/MIA issue.

September, 1990. Secretary Baker met with SRV Vice Premier/Foreign Minister Thach in New York. Emphasis was placed on the need for Vietnam to move now to resolve the POW/MIA issue to ensure that it does not become an obstacle to the pace and scope of improving relations, once a comprehensive settlement is reached in Cambodia.

October, 1990. General Vessey led a US delegation for meetings in Washington D.C.** with SRV Vice Premier/Foreign Minister Thach and other Vietnamese officials. (Secretary Baker waived the 25-mile restriction on officials of "enemy" countries to enable Thach's party to travel to Washington, reinforcing US emphasis on resolving the POW/MIA issue.)

- * The Vietnamese agreed to formation of a joint research "information seeking" team to locate and make available historical documents relevant to individual cases.

- * The Vietnamese agreed to increased unilateral Vietnamese efforts to repatriate remains of U.S. personnel.
- * US again (first time since 1986) indicated willingness to consider establishing a temporary POW/MIA team in Hanoi if the work-load was sufficient, noting that if dramatic progress were made, such an office could be retained on a permanent basis.

17 REMAINS WERE RETURNED AND IDENTIFIED AS AMERICANS IN 1990

April, 1991: Assistant Secretary of State Solomon provided the US "roadmap" policy, outlining reciprocal steps toward resuming normal relations between the US and Vietnam.

April, 1991: General Vessey led an IAG delegation to Hanoi** for meetings with SRV Vice Premier/Foreign Minister Thach.

- * The US provided an assessment of joint investigations to date and further outlined the need for cooperation to facilitate POW/MIA results.
- * Vietnam rejected the US proposals and linkage of POW/MIA cooperation to the pace and scope of the bilateral normalization process as outlined in the US "roadmap."
- * Agreement was reached to establish a temporary US POW/MIA Office in Hanoi. (US specialists established the office in June, returning in late July for a continuous presence since that time.)

August, 1991: Assistant Secretary of State Solomon and Vietnamese Vice Foreign Minister Le Mai met in Bangkok, in conjunction with Cambodia settlement talks in the context of the Perm Five.

- * Vietnam indicated strong interest to moving more rapidly toward normalization of relations, focused on their view that most of the discrepancy cases have been "resolved."

October, 1991: General Vessey led a US delegation to Hanoi** for meetings with newly appointed SRV Foreign Minister Nguyen Manh Cam. Also, for the first time, talks were held with the Prime Minister, newly appointed Vo Van Kiet.

- * Vietnam (Prime Minister Vo Van Kiet) pledged "unconditional cooperation" to resolve the issue.
- * Vietnam reaffirmed earlier commitments.

4 REMAINS RETURNED IN 1991 WERE IDENTIFIED AS AMERICANS

February, 1992: General Vessey led a military delegation to Hanoi January 30-February 1st. For the first time, talks were held with SRV Minister of Defense Doan Khue, and Vice Ministers of Defense and Interior participated in the plenary sessions. An important document, the Military Region IV summary of shoot-downs, was turned over. In the Joint Statement issued by General Vessey and Foreign Minister Cam at the conclusion of their meetings:

- * Vietnam and the US agreed to strengthen existing measures to acquire and confirm information regarding missing Americans and to continue to resolve remaining problems.
- * Vietnam and the US agreed to hold expert meetings to discuss ways to accelerate resolution of the 119 LKA discrepancy cases and to plan operations for the next 12 to 24 months.
- * The US announced its intention to provide \$25,000 in disaster relief to aid victims of a recent typhoon in Central Vietnam; Vietnam requested that the US increase its contributions in this area.
- * Vietnam and the US agreed to hold meetings in Hanoi by the end of February to further evaluate the US programs and Vietnam's humanitarian needs.
- * Vietnam and the US reiterated the desire of their respective governments for early normalization of relations.

March 1992: Assistant Secretary of State Richard Solomon led a US delegation to Hanoi (also Vientiane and Phnom Penh)**.

- * Vietnam agreed to provide access to records retained in museums located in Ho Chi Minh City and Hanoi and access to an official who had direct knowledge of and responsibility for US POWs during the war.
- * Vietnam agreed to a live sighting investigation mechanism, with short-term notification of location, and undertook one such an investigation.
- * Vietnam affirmed earlier agreements to recover and repatriate remains and agreed to another experts meeting to exchange information on specific cases in which the US believes remains should be available to SRV authorities.
- * The US agreed to provide Vietnam with approximately \$3 million in humanitarian aid.

October, 1992: General Vessey led a US delegation, including Senator John McCain and members of the POW/MIA Interagency Group, to Hanoi to reinforce the need for greater Vietnamese responsiveness on the Solomon Agreements.**

7 REMAINS RETURNED IN 1992 WERE IDENTIFIED AS AMERICANS

April, 1993: General Vessey led another largely military delegation to Hanoi to pursue additional access to documents and records.

July, 1993: Deputy Secretary of Veterans Affairs Harshel Gober, Assistant Secretary of State for Asian and Pacific Affairs Winston Lord and LTG Michael Ryan, USAF, Assistant to the Chairman, Joint Chiefs of Staff, led a US delegation to Hanoi. The group included representatives of The American Legion, Veterans of Foreign Wars, Vietnam Veterans of America and AMVETS. The delegation reiterated four points, outlined on July 2nd in conjunction with President Clinton's decision to end US opposition to funding by the international financial institutions of development projects in Vietnam. The four points, listed as those requiring concrete results before the US would move forward, economically or politically, to improve bilateral relations with Vietnam, are:

- * **Remains:** Concrete results from efforts on Vietnam's part to recover and repatriate American remains.
- * **Discrepancy cases:** Continued resolution of 92 LKA discrepancy cases, live sighting reports and field activities.
- * **Laos:** Further assistance in implementing trilateral investigations with the Lao.
- * **Archives:** Accelerated efforts to provide all POW/MIA related documents that will help lead to genuine answers.

August, 1993: Senior US (NSC-Wiedemann; State-Quinn; DOD-Ross) officials met with Vietnamese Vice Foreign Minister Le Mai and Lao Vice Foreign Minister Soubanh to develop a process for trilateral cooperation to account for Americans missing in Laos, but in areas under Vietnamese control during the war.

- * Agreement was reached on bilateral US/LPDR and US/SRV field operation within each country and meetings for exchange of information among the three country's representatives.
- * Vietnam agreed to do whatever the US requires to meet the Clinton Administration's stated criteria.

On August 31st, Vietnam provided long-sought Group 559 and Group 875 documents to US officials.

September, 1993: President Clinton renewed the US embargo against Vietnam, but eased restrictions to permit US companies to enter into contracts funded by the international financial institutions, reportedly to reciprocate for "significant progress" being provided by the Vietnamese on the four points listed above.

3 REMAINS RETURNED IN 1993 HAVE BEEN IDENTIFIED AS AMERICANS

** Indicates participation of League Ex. Dir. Ann Mills Griffiths.



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POW/MIA COMMITMENTS BY PRESIDENT CLINTON/CLINTON ADMINISTRATION

- December 10, 1993: The President, in letter to Senator Bob Smith, (R-NH) distributed to attendees of Veterans Briefing December 15th.

"... I have made achieving the fullest possible accounting for our POW/MIAs the test of our relationship with Vietnam. ...I will not accept mere activity by Vietnam on POW/MIA issues as 'progress'."

- November 11, 1993: The President, during his address at the Tomb of the Unknowns, Arlington National Cemetery, Washington, D.C.

"Our nation has a particular responsibility to pursue the fate of our missing from the war in Vietnam. On Memorial Day, I pledged here that our government would declassify and make available virtually all documents related to those who never returned from that war, and that I would do it by this day, Veterans Day. I can tell you that last evening, the Secretary of Defense completed that task. That promise has been fulfilled. I know that our government, our nation together have a solemn obligation to the families of those who are missing to do all we can to help them find answers and peace of mind."

- July 16, 1993: Deputy National Security Advisor Samuel R. Berger in his address to the National League of POW/MIA Families 24th Annual meeting.

"...The President understands that while the processes underway in Vietnam are important, the litmus tests here are concrete results and solid answers. ...the President felt that it was best to use the IFI decision as a vehicle both for recognizing Vietnamese progress to date -- and, more importantly, pressing for further results. The President specifically rejected suggestions that he lift the trade embargo, partially or fully, even though that position disadvantages American business. This is not a commercial or diplomatic issue for the President; it is a moral one. ... The President will not move forward on any bilateral economic or political steps -- on the issues we truly control -- until there are further tangible results from the Vietnamese. ... Vietnamese efforts to date, while welcome, are not sufficient to warrant changes in our trade embargo or further steps in U.S.-Vietnam relations."

- July 2, 1993: White House Press Statement by the President on U.S. Policy Toward Vietnam

"...Our policy toward Vietnam must be driven not by commercial interests but by the overriding purpose of achieving further progress toward the fullest possible accounting of our POW/MIAs...Progress to date is simply not sufficient to warrant any change in our trade embargo or any further steps toward normalization. Any further steps in relations between our two nations depend on tangible progress on

the outstanding POW/MIA cases. We insist upon efforts by the Vietnamese in four key areas: **Remains:** Concrete results from efforts on their part to recover and repatriate American remains. **Discrepancy Cases:** Continued resolution... **Laos:** Further assistance in implementing trilateral investigation with the Lao. **Archives:** Accelerated efforts to provide all POW/MIA related documents..."

- May 31, 1993: During his address at the National Vietnam Veterans Memorial, the President stated, "Today let us also renew a pledge to the families...We will do all we can to give you not only the attention you have asked for but the answers you deserve....We are pressing the Vietnamese to provide this accounting not only because it is the central outstanding issue in our relationship with Vietnam, but because it is a central commitment made by the American government to our people. And I intend to keep it."
- April 23, 1993: During White House news conference.

Question: Before the U.S. normalizes relations, allows trade to go forward, do you have to be personally assured that every case has been resolved...

The President: "A lot of experts say you can never resolve every case.... But what I would have to be convinced of is that we had gone a long way towards resolving every case...and we're not there yet. Again, I have to be guided a little bit by people who know a lot about this, and I confess to being much more heavily influenced by the families of the people whose lives were lost there or whose lives remain in question than by the commercial interests and the other things which seem so compelling in this moment. I just am very influenced by how the families feel."

- March 22, 1993: Secretary of State Warren Christopher in his address to the Council on Foreign Relations, Chicago, Illinois.

Question: What will be the U.S. approach to end the embargo in Vietnam?

Secretary Christopher: "As you know, the United States has had two primary preconditions to ending the embargo and to the normalization of relationships with Vietnam. First was their support for the United Nations peacekeeping efforts in Cambodia, and on that score, I would say that Vietnam has fulfilled its obligations."

"The second precondition was that we would be satisfied on the POW/MIA issue.... Our administration will be assessing that progress very carefully to determine whether we can move further down the road, or down the roadmap, to use the technical term, toward normalization with Vietnam...."

REMAINS AND RECORDS BRIEF

INTRODUCTION

WE ARE VERY PLEASED TO HAVE THIS OPPORTUNITY FOR BOTH OF OUR COUNTRIES TO REVIEW IN DEPTH THE MATTER OF POW/MIA RECORDS AND REMAINS, BOTH OF WHICH HAVE GREAT BEARING ON OBTAINING THE FULLEST POSSIBLE ACCOUNTING. DURING HIS LAST VISIT GENERAL VESSEY TOLD MINISTER CAM HOW THE INFORMATION AVAILABLE TO US HAS CREATED EXPECTATIONS ABOUT THE DEGREE OF ACCOUNTING WHICH IS POSSIBLE-- PARTICULARLY ON THE RECOVERY OF REMAINS. WHEN ASSISTANT SECRETARY SOLOMON CAME HERE IN EARLY MARCH, HE REITERATED GENERAL VESSEY'S EARLIER POINT THAT INFORMATION ABOUT YOUR GOVERNMENT'S EFFORTS TO COLLECT AMERICAN REMAINS BOTH DURING THE WAR AND SINCE WOULD BE VERY HELPFUL IN INCREASING UNDERSTANDING OF THE ISSUE. THE FACT THAT THIS INFORMATION EXCHANGE IS TAKING PLACE IS A MEASURE OF HOW FAR WE HAVE COME IN OUR JOINT EFFORTS TO COOPERATE IN RESOLVING THIS ISSUE. WE ARE HERE IN THAT SPIRIT, HOPING THAT THESE DISCUSSIONS WILL BRING GREATER UNDERSTANDING, OPENNESS AND RESULTS FROM OUR COOPERATIVE EFFORTS. WE WILL PROVIDE INFORMATION WHICH SERVES AS A BASIS FOR U.S. POLICY REGARDING THESE ISSUES.

WE PROPOSE TO BEGIN WITH A SUMMARY OF THE INFORMATION AVAILABLE TO US CONCERNING YOUR GENERAL SYSTEMS FOR COLLECTION OF INFORMATION AND REMAINS. WE WOULD THEN HOPE TO HEAR YOUR PRESENTATION ON THE SAME SUBJECTS AND ANY OTHER YOU WOULD CARE TO RELATE.

THE U.S. HAS COLLECTED A LARGE AMOUNT OF INFORMATION REGARDING YOUR GOVERNMENT'S RECORD-KEEPING ON U.S. CASUALTIES AND POWS, AND EFFORTS TO COLLECT AND STORE U.S. REMAINS. TODAY WE WILL OUTLINE THE SCOPE OF THAT INFORMATION AND DESCRIBE OUR UNDERSTANDING OF HOW YOUR PROGRAMS OF RECORD-KEEPING AND REMAINS COLLECTION WORKED, AS WELL AS INFORMATION THAT STRONGLY INDICATES TO US THAT YOUR GOVERNMENT PRESERVED AND STILL MAINTAINS RECORDS ON AMERICANS KILLED OR CAPTURED BY PAVN FORCES IN VIETNAM, AND IN LAOS AND CAMBODIA. WE WILL ALSO DESCRIBE THE BASIS FOR OUR ASSESSMENT THAT A SIGNIFICANT NUMBER OF U.S. REMAINS EITHER HAVE BEEN RECOVERED OR SHOULD BE EASILY RECOVERABLE, INCLUDING THE 17 PRIORITY DISCREPANCY CASES NOTED BY ASSISTANT SECRETARY SOLOMON DURING HIS RECENT VISIT TO HANOI, ON WHICH JOINT INVESTIGATION HAS CONFIRMED DEATH.

DURING THE WAR, U.S. FORCES CAPTURED THOUSANDS OF DOCUMENTS. AMONG THESE WERE MANY DOCUMENTS ASSOCIATED WITH PAVN DIRECTIVES MANDATING RECORD-KEEPING AND REPORTING ON U.S. CASUALTIES AND POWS. SOME OF THESE DOCUMENTS DISCUSSED THE DIRECTIVES THEMSELVES; OTHERS DISCUSSED ENFORCEMENT OF THE DIRECTIVES; STILL OTHERS NOTED INDIVIDUAL INSTANCES IN WHICH CADRE FAILED TO FOLLOW PROPER RECORD-KEEPING AND REPORTING PROCEDURES. ADDITIONAL INFORMATION ON THESE MATTERS WAS ACQUIRED FROM RALLIERS AND CAPTURED VIETNAMESE POWS, FROM RETURNED U.S. POWS, AND FROM VIETNAMESE NEWS BROADCASTS AND PUBLICATIONS.

- February 10, 1993: During the regular White House briefing.

Question: President Mitterand today asked the U.S. to lift the economic embargo on Vietnam. Do you have any comment about that?

George Stephanopoulos (Communications Director): "All I can say is we've generally supported the roadmap policy. We want to make sure that we have a full accounting of all MIAs, and that's the policy we'll continue."

- February 3, 1993: White House official reaction on policy toward normalizing relations with Vietnam, responding to a Reuters News Agency inquiry.

"President Clinton has already stated we will only move forward when there's the fullest possible accounting of all those listed as missing."

PRE-ELECTION COMMITMENTS

- November 11, 1992: President-elect Clinton's address, Veterans Day Ceremony, Little Rock, Arkansas.

"...as I have pledged throughout my campaign, I will do my very best to make sure we have a final resolution of the POW/MIA issue...I have sent a clear message that there will be no normalization of relations with any nation that is at all suspected of withholding any information. We must have as full an accounting as is humanly possible."

- September 10, 1992: Issue paper, entitled "Clinton-Gore on Issues of Concern to Veterans."

"Make resolution of the POW/MIA issue a national priority by insisting on a full accounting of all POWs and MIAs before normalizing relations with Vietnam; working with the Russian government to reveal any information it has on Americans held; and declassify pertinent government documents.

- March 17, 1992: Signed letter from Governor Clinton to League Executive Director Ann Mills Griffiths.

"Thank you for your thorough and helpful briefing on POW/MIAs. This issue is certainly due proper attention and timely action."

January 6, 1994

DURING THE POSTWAR PERIOD, REFUGEES AND OTHER PERSONS PROVIDED US WITH INFORMATION ABOUT YOUR GOVERNMENT'S RECORD-KEEPING AND REMAINS COLLECTION SYSTEMS, BOTH IN THE NORTH AND THE SOUTH, AS WELL AS IN AREAS TRAVERSED BY THE STRATEGIC ROUTE LINKING THE TWO AND OTHER AREAS WHERE PAVN FORCES WERE DEPLOYED IN LAOS AND CAMBODIA. DURING JOINT FIELD ACTIVITIES, WE HAVE INTERVIEWED MANY WITNESSES WHO TOLD OUR TEAMS ABOUT OFFICIAL RECORD-KEEPING ON INDIVIDUAL CASES, AS WELL AS WITNESSES WHO KNEW OF CASES IN WHICH OFFICIALS OF YOUR GOVERNMENT LATER RETURNED TO BURIAL SITES TO COLLECT THE REMAINS OF MISSING AMERICANS. WE HAVE ALSO HAD AN OPPORTUNITY TO VIEW VIETNAMESE DOCUMENTS AND PUBLICATIONS THAT CONTAIN IMPORTANT INFORMATION ON AMERICANS MISSING AND UNACCOUNTED FOR DURING THE WAR. SOME OF THESE DOCUMENTS AND PUBLICATIONS ALSO DESCRIBE YOUR GOVERNMENT'S EFFORTS TO PRESERVE ARCHIVAL RECORDS AND TO COLLECT U.S. REMAINS FROM ORIGINAL BURIAL SITES.

AS YOU KNOW, TO OUR GOVERNMENT, FULLEST POSSIBLE ACCOUNTING MEANS THE RETURN OF A LIVING PERSON, THE RETURN OF HIS OR HER REMAINS, OR A CREDIBLE REASON WHY NEITHER IS POSSIBLE. WE KNOW THAT IT WILL NOT BE POSSIBLE TO ACCOUNT FOR EVERYONE BY THE RETURN OF A LIVING PERSON OR HIS OR HER REMAINS. IN MANY CASES IT WILL ONLY BE POSSIBLE TO ACQUIRE INFORMATION ABOUT THE FATE OF THE PERSON OR ABOUT THE LOSS INCIDENT, MAINLY THROUGH RESEARCH INTO YOUR ARCHIVAL RECORDS. IN SOME CASES, IT WILL NOT BE POSSIBLE TO LEARN ANYTHING AT ALL. OUR ABILITY TO IDENTIFY THIS LAST GROUP OF CASES, THOSE FOR WHICH THERE WILL NEVER BE ANY ANSWERS, WILL ULTIMATELY DEPEND ON CONFIDENCE DEVELOPED AS RESULTS ARE ACHIEVED AND ON THE SUCCESS OF OUR JOINT RESEARCH EFFORTS. THROUGH SUCH RESEARCH, A REALISTIC ASSESSMENT CAN BE MADE REGARDING THE EXTENT OF YOUR GOVERNMENT'S ABILITY TO HELP PROVIDE ANSWERS AND TO DETERMINE WHICH CASES WILL LIKELY REMAIN UNRESOLVED DUE TO LACK OF KNOWLEDGE.

RECORDS

I'D LIKE TO SPEAK FIRST ABOUT OUR EXPECTATIONS AS TO THE NATURE AND EXTENT OF INFORMATION THAT LIKELY COULD BE FOUND IN ARCHIVAL RECORDS.

BASED ON INFORMATION ACQUIRED THROUGH ORIGINAL DOCUMENTS, WARTIME AND REFUGEE INTERVIEWS, AND OTHER SOURCES, WE HAVE LEARNED THAT PAVN DEVELOPED A SPECIALIZED CADRE AND A DEDICATED ORGANIZATION TO HANDLE FOREIGN PRISONERS AND CASUALTIES DURING THE FIRST INDOCHINA WAR. THAT CADRE AND ORGANIZATION, WHICH APPEAR TO HAVE CONTINUED TO OPERATE INTO THE EARLY 1960S, WAS ADAPTED TO DEAL WITH U.S. FORCES WHEN THEY WERE INTRODUCED INTO INDOCHINA.

ACCORDING TO OUR UNDERSTANDING, YOUR GOVERNMENT'S PRINCIPAL POW HANDLING ARM WAS THE CUC DICH VAN OF THE GENERAL POLITICAL DIRECTORATE, PAVN. THE CUC DICH VAN OPERATED IN CONJUNCTION WITH THE MINISTRY OF PUBLIC SECURITY/MINISTRY OF INTERIOR. PAVN DOCUMENTS IDENTIFY OFFICE 22, GROUP 875, DEPARTMENT OF MILITARY JUSTICE, GENERAL POLITICAL DIRECTORATE, AS A COMPONENT THAT MAINTAINED RECORDS CONCERNING U.S. POWS, AS WELL AS DEAD

AMERICANS. PAVN DOCUMENTS ALSO CONFIRM GROUP 875 HELPED SUPERVISE THE COLLECTION AND PRESERVATION OF REMAINS OF DEAD AMERICANS. ALTHOUGH GROUP 875 WAS DISBANDED AFTER THE WAR, WE HAVE SEEN INDICATIONS THAT ITS ARCHIVAL RECORDS, AND THOSE MAINTAINED BY THE CUC DICH VAN AND THE MINISTRY OF INTERIOR, CONTAIN EXTENSIVE INFORMATION ON AMERICAN CASUALTIES AND POWS AND ON YOUR GOVERNMENT'S EFFORTS TO COLLECT AND PRESERVE AMERICAN REMAINS.

ALTHOUGH THE RECORDS OF THE ELEMENTS MENTIONED ABOVE REPRESENT POTENTIALLY THE MOST EXTENSIVE AND MOST VALUABLE COLLECTION OF INFORMATION ON U.S. POWS AND CASUALTIES, WE HAVE ALSO IDENTIFIED OTHER ELEMENTS THAT SHOULD HAVE SIGNIFICANT INFORMATION ON THESE MATTERS. AT THE CENTRAL GOVERNMENT LEVEL, FOR INSTANCE, TWO ORGANIZATIONS--THE DEPARTMENTS OF AIR DEFENSE AND THE NAVY--SHOULD HAVE VERY USEFUL INFORMATION ON INCIDENTS INVOLVING DOWNED U.S. AIRCRAFT AND THE FATE OF THEIR CREW. MUCH VALUABLE INFORMATION SHOULD ALSO BE LOCATED IN MILITARY AND CIVIL ORGANIZATIONS AT THE REGIONAL AND PROVINCIAL LEVEL. YOUR GOVERNMENT HAS CONFIRMED WHAT OTHER SOURCES HAVE TOLD US REGARDING THE IMPORTANT ROLE THAT REGIONAL AND PROVINCIAL COMMANDS EXERCISED IN HANDLING U.S. POWS AND IN DOCUMENTING AND REPORTING ON POWS AND CASUALTIES. SUCH SOURCES HAVE ALSO INDICATED THAT THESE ELEMENTS PREPARED MULTIPLE COPIES OF REPORTS ON INCIDENTS INVOLVING AMERICANS, ON POW INTERROGATIONS AND ON U.S. BURIAL SITES. WE UNDERSTAND THAT YOUR REPORTING PROCEDURES CALLED FOR THESE COMMANDS TO FORWARD COPIES OF SUCH REPORTS, ALONG WITH I.D. MEDIA ASSOCIATED WITH U.S. PERSONNEL, TO HIGHER HEADQUARTERS AND EVENTUALLY TO HANOI. COPIES OF SUCH REPORTS AND SUPPORTING DATA SHOULD STILL EXIST IN ARCHIVES MAINTAINED AT THE REGIONAL AND PROVINCIAL LEVELS, AS WELL AS AT THE CENTRAL LEVEL. OVER THE LAST SEVERAL MONTHS, WE HAVE SUBMITTED PROPOSALS TO VISIT SOME OF THESE ARCHIVES.

ALTHOUGH WE DO NOT EXPECT TO FIND RECORDS ON 100 PERCENT OF OUR MISSING, WE DO ANTICIPATE FINDING INFORMATION ON A VERY GREAT NUMBER OF CASES. SUCH RECORDS SHOULD CONTAIN INFORMATION DESCRIBING LOSS INCIDENTS AND, IN MANY CASES, DOCUMENTING THE FATE OF OUR PERSONNEL. MANY OF THESE RECORDS SHOULD ALSO INCLUDE INFORMATION REGARDING GRAVESITES AND WILL HELP US TO ASSESS WHETHER REMAINS HAVE ALREADY BEEN RECOVERED OR MIGHT STILL BE RECOVERABLE. INFORMATION FROM THESE RECORDS HAS THE POTENTIAL TO PROVIDE ANSWERS IN A RELATIVELY SHORT PERIOD OF TIME TO A LARGE NUMBER OF FAMILIES WHO STILL HAVE QUESTIONS REGARDING THE FATE OF THEIR LOVED ONES. INFORMATION FROM YOUR ARCHIVES WILL ASSIST OUR JOINT EFFORTS IN ALL AREAS OF MUTUAL CONCERN, INCLUDING INVESTIGATION OF LIVE-SIGHTING REPORTS, RESOLVING THE LAST KNOWN ALIVE DISCREPANCY CASES, AND IN SUPPORTING OUR JOINT LONGER TERM EFFORTS TO REPATRIATE THE REMAINS OF THE DEAD YET TO BE RECOVERED IN THE MOST EFFICIENT WAY POSSIBLE.

REMAINS

NOW, I WILL TURN TO WHAT WE BELIEVE COULD BE ACHIEVED THROUGH VIETNAM'S UNILATERAL EFFORTS TO RECOVER AND RETURN REMAINS AND THROUGH ACCESS TO RECORDS THAT DOCUMENT YOUR GOVERNMENT'S EFFORTS,

SUCCESSFUL AND OTHERWISE, TO LOCATE AND RECOVER U.S. REMAINS. SOME OF OUR INFORMATION ABOUT YOUR GOVERNMENT'S RECORD-KEEPING PROCEDURES RELATES TO VIETNAM'S EFFORTS TO LOCATE, COLLECT, AND STORE THE REMAINS OF U.S. WAR DEAD. OUR INFORMATION ON THIS PROGRAM COMES FROM A VARIETY OF SOURCES DESCRIBING THE COMPREHENSIVE SCOPE OF YOUR GOVERNMENT'S PROGRAM, ITS EXTENSION TO THE SOUTH, TO AREAS ASSOCIATED WITH THE STRATEGIC ROUTE, AND TO AREAS OF LAOS AND CAMBODIA WHERE PAVN FORCES WERE DEPLOYED.

ONE OF THESE SOURCES, A VIETNAMESE MORTICIAN WHO EMIGRATED TO THE U.S., REPORTED THAT HE PERSONALLY WORKED ON OVER 290 SETS OF REMAINS THAT HE WAS CONFIDENT WERE THOSE OF AMERICANS. THE MORTICIAN SUCCESSFULLY DEMONSTRATED TO OUR EXPERTS THAT HE COULD DISTINGUISH BETWEEN MONGOLOID AND CAUCASIAN REMAINS. HE ALSO SAID THAT IN THE HANOI FACILITY WHERE HE WORKED HE SAW MORE THAN 400 BOXES WHICH HE UNDERSTOOD HELD AMERICAN REMAINS. YOUR GOVERNMENT HAS, OF COURSE, RETURNED A NUMBER OF REMAINS TO US IN SUBSEQUENT YEARS, BUT COMPARISON OF THE NUMBER AND TYPE OF THOSE REMAINS WITH THOSE THE MORTICIAN SAW REVEALS A SIGNIFICANT SHORTFALL. ALTHOUGH VIETNAM HAS RETURNED OVER 400 REMAINS, MANY OF THESE WERE MONGOLOID, AND MANY OTHERS DO NOT EXHIBIT EVIDENCE OF PRESERVATION OR LONG-TERM ABOVE GROUND STORAGE DESCRIBED BY THE MORTICIAN AND OTHER SOURCES. IT IS LOGICAL, THEREFORE, THAT WE ARE NOT ABLE TO CONCLUDE THAT ALL THE REMAINS PROCESSED OR OBSERVED BY THE MORTICIAN HAVE BEEN RETURNED TO THE U.S.

THE MORTICIAN, WHOSE KNOWLEDGE EXTENDED ONLY TO 1977, PASSED A POLYGRAPH CONCERNING HIS OBSERVATIONS. OTHER SOURCES, INCLUDING SOME WHO HAVE ALSO PASSED POLYGRAPHS, HAVE CONFIRMED WHAT THE MORTICIAN TOLD US. MOST PROVIDED A HIGHER ESTIMATE OF THE NUMBER OF REMAINS THAT HAD ALREADY BEEN COLLECTED AS OF 1977-79. THESE OTHER SOURCES, INCLUDING WITNESSES QUESTIONED DURING JOINT INVESTIGATIONS, HAVE REAFFIRMED THAT EFFORTS TO COLLECT AND STORE U.S. REMAINS CONTINUED WELL INTO THE 1980'S.

OUR ASSESSMENT ABOUT YOUR GOVERNMENT'S REMAINS COLLECTION PROGRAM IS INFLUENCED BY OUR UNDERSTANDING OF TRADITIONAL VIETNAMESE BURIAL PRACTICES AND BY YOUR GOVERNMENT'S HANDLING OF FRENCH REMAINS. SPECIFICALLY, THE PRACTICE OF INTERRING REMAINS IN TEMPORARY BURIAL SITES, THEN REMOVING AND TREATING THEM BEFORE FINALLY REINTERRING THE REMAINS IN A PERMANENT GRAVESITE WAS FOLLOWED IN SOME INSTANCES WITH U.S. REMAINS. IN ADDITION, YOUR GOVERNMENT UNDERTOOK TO RELOCATE THE REMAINS OF YOUR OWN SOLDIERS TO HEROES' CEMETERIES IN VIETNAM. THIS ALSO SUGGESTS THAT THE SAME PRACTICE COULD HAVE BEEN APPLIED IN DEALING WITH U.S. REMAINS.

FINALLY, OUR FORENSICS EXPERTS TELL US THAT APPROXIMATELY 70 PERCENT OF U.S. REMAINS RETURNED BY YOUR GOVERNMENT SHOW EVIDENCE OF LONG-TERM STORAGE. BY THIS WE MEAN THEY EXHIBITED MINIMAL BONE-MASS LOSS, COMINGLING WITH OTHER REMAINS OF INDIVIDUALS LOST IN WIDELY DISPARATE AREAS, AND COATING WITH PRESERVATIVES AND/OR DISINFECTANTS.

THUS, WHILE YOUR GOVERNMENT HAS RETURNED MANY SETS OF REMAINS THAT

EXHIBIT EVIDENCE OF STORAGE, THE INFORMATION AVAILABLE TO US LEADS TO THE CONCLUSION THAT THERE ARE STILL AMERICAN REMAINS THAT ARE READILY AVAILABLE OR EASILY RETRIEVABLE AND THAT COULD BE REPATRIATED TO THE U.S. IN A VERY SHORT PERIOD OF TIME. BY STORAGE WE MEAN REMAINS KEPT ABOVE OR BELOW GROUND, COLLECTED INTO ONE OR MORE CENTRALIZED FACILITIES, OR LOCATED IN DOCUMENTED GRAVES. IN THIS REGARD, RECORDS THAT DOCUMENT THE SUCCESSES AND FAILURES OF YOUR REMAINS RECOVERY PROGRAM WOULD BE PARTICULARLY USEFUL. IF THERE IS ANY GAP BETWEEN OUR EXPECTATIONS AND YOUR CAPABILITIES, IT IS IN OUR MUTUAL INTEREST TO CLOSE THAT GAP.

TO GUIDE FURTHER DISCUSSION, WE HAVE PREPARED A SERIES OF CASE NARRATIVES WHICH WE PROPOSE BE DISCUSSED BY TECHNICAL EXPERTS FROM BOTH SIDES. WE HAVE WITH US SEVENTEEN COMPELLING CASES THAT SERVE AS EXAMPLES IN SUPPORT OF OUR ASSESSMENT. THERE ARE MANY ADDITIONAL CASES THAT COULD ALSO ILLUSTRATE THIS POINT, BUT WE HAVE SINGLED OUT THESE BECAUSE THEY ARE THE CASES DISCUSSED BY MR. SOLOMON AND MR. LE MAI. WE WOULD LIKE TO DESCRIBE THESE CASES BRIEFLY TO YOU NOW.

CASE 1934 (ANDERSON) IS AN EXAMPLE OF A CASE IN WHICH THE INFORMATION AVAILABLE TO US SUGGESTS THAT YOUR OFFICIALS HAVE ALREADY RECOVERED REMAINS. IN BOX 6 OF THE SEPTEMBER 1990 REPATRIATION, YOU REPATRIATED A SET OF REMAINS THAT WERE ASSOCIATED IN AN ACCOMPANYING SRV DOCUMENT WITH INCIDENT DATA RELATING TO CASE 1934. THE REMAINS IN QUESTION, WHICH DISPLAYED FORENSIC EVIDENCE OF STORAGE, WERE NOT THOSE OF CASE 1934, BUT RATHER THOSE OF ANOTHER AMERICAN LOST IN THE SAME PROVINCE MANY YEARS EARLIER. WITNESSES INTERVIEWED DURING JOINT INVESTIGATION OF THIS CASE IN NOVEMBER-DECEMBER 1990 SAID OFFICIALS RECOVERED THE REMAINS IN 1974-75. LOGIC THUS LEADS US TO THE CONCLUSION THAT YOUR GOVERNMENT HAS RECOVERED THE REMAINS OF LIEUTENANT COLONEL ANDERSON.

CASE 0680 (JEFFERSON). DURING ROUND 2 OF OUR JOINT INVESTIGATIONS, VIETNAMESE WITNESSES DESCRIBED 1ST LT JEFFERSON'S DEATH AND HIS BURIAL ON A MILITARY STATE FARM. EXTENSIVE EXCAVATION AT THIS LOCATION DURING ROUND 4, HOWEVER, FAILED TO TURN UP ANY EVIDENCE OF A GRAVE. YOUR MILITARY FORCES AT THE TIME CAREFULLY DOCUMENTED THE CIRCUMSTANCES OF THE INCIDENT, THE DEATH AND SUBSEQUENT BURIAL OF 1ST LT JEFFERSON, AND THE CAPTURE OF HIS FELLOW CREWMEMBER, COLONEL NORMAN C. GADDIS. IN FACT, COL GADDIS' CAPTURE RECEIVED WIDE COVERAGE IN THE VIETNAMESE PRESS. DUE TO THE NOTORIETY SURROUNDING THIS CASE, THE ACCESSIBILITY OF 1ST LT JEFFERSON'S BURIAL SITE, ITS RELATIVE PROXIMITY TO HANOI, AND ITS LOCATION ON MILITARY PROPERTY, 1ST LT JEFFERSON'S REMAINS WERE AN OBVIOUS CANDIDATE FOR EARLY RECOVERY.

CASE 0761 (DOVE AND SQUIRE). DURING ROUND 7 OF THE JOINT INVESTIGATIONS, JOINT TEAMS LOCATED WRECKAGE ASSOCIATED WITH THIS INCIDENT. BASED ON THE TYPE OF AIRCRAFT AND THE CONDITION OF THE WRECKAGE, IT WAS CONCLUDED THAT CAPTAIN DOVE AND MAJOR SQUIRE WERE IN THE AIRCRAFT WHEN IT CRASHED. THIS LOSS OCCURRED VERY NEAR THE HEADQUARTERS OF BINH TRAM 14, WHICH WOULD HAVE PREPARED AND

FORWARDED REPORTS TO MILITARY REGION AUTHORITIES ON THIS INCIDENT. THESE REPORTS WOULD HAVE PROVIDED THE BASIS FOR THE ENTRY ON THIS CASE THAT APPEARS IN THE MILITARY REGION 4 RECORD OF U.S. AIRCRAFT DOWNINGS. THESE REPORTS WOULD HAVE DOCUMENTED THE DISPOSITION OF THE REMAINS OF THE TWO U.S. AVIATORS AND RECORDED THEIR BURIAL SITES. WITNESSES IN VIETNAM HAVE INFORMED US THAT GOVERNMENT OFFICIALS HAVE ALREADY RECOVERED SEVERAL SETS OF U.S. REMAINS FROM THIS AREA OF ROUTE 20. REPORTS ON THOSE RECOVERIES, AS WELL AS RECORDS OF THE ORIGINAL 0761 INCIDENT, SHOULD HELP CLARIFY THE CURRENT LOCATION OF THESE TWO MEN'S REMAINS.

CASE 0859 (HARDY). THIS INCIDENT INVOLVED TWO MEN, CAPTAIN DERRICKSON AND FIRST LIEUTENANT HARDY, BOTH OF WHOM DIED IN THE INCIDENT. ALTHOUGH THE DISPOSITION OF CAPTAIN DERRICKSON'S REMAINS ARE NOT YET CLEAR, IT APPEARS THAT 1ST LT HARDY'S REMAINS WERE RECOVERED BY VIETNAMESE OFFICIALS. WITNESSES INTERVIEWED DURING ROUND 13 DESCRIBED THE RECOVERY AND BURIAL OF PARTIAL REMAINS AT THAT TIME. DURING ROUND 14, YOUR GOVERNMENT PROVIDED US WITH A LIST OF BURIAL SITES OF 25 U.S. PERSONNEL WHO WERE KILLED IN MILITARY REGION 4. 1ST LT HARDY'S NAME, ALONG WITH DETAILED PERSONAL DATA, APPEARS ON THAT LIST. ALTHOUGH THE TITLE OF THE LIST DESCRIBES THE AMERICANS AS "KILLED AND TORN APART", THE SRV HAS REPATRIATED THE IDENTIFIABLE REMAINS OF FIVE INDIVIDUALS NAMED ON THIS LIST.

CASE 0641 (O'GRADY). MAJOR O'GRADY WAS CAPTURED BY PAVN FORCES, BUT HE DIED WITHIN A FEW HOURS. RECORDS ON THIS INCIDENT AND ON MAJOR O'GRADY'S DEATH WERE FORWARDED TO REGION AND TO HQ 280TH AIR DEFENSE REGIMENT. THESE RECORDS INCLUDED A RECORD OF MAJOR O'GRADY'S ORIGINAL GRAVE SITE, WHICH WAS NEAR KILOMETER 21, ROUTE 12. OUR JOINT INVESTIGATION TEAM ATTEMPTED TO LOCATE THAT GRAVE SITE DURING ROUND 13 BUT WAS NOT SUCCESSFUL. SEVERAL WITNESSES IN QUANG BINH PROVINCE HAVE TOLD US OF OFFICIAL REMAINS RECOVERY ATTEMPTS THAT BEGAN IN THIS AREA IN LATE 1972. DUE TO THE ACCESSIBILITY OF MAJOR O'GRADY'S BURIAL SITE AND THE FACT THAT RECORDS DOCUMENTING THE LOCATION OF HIS GRAVE WERE AVAILABLE TO SRV OFFICIALS, WE BELIEVE THAT RECORDS OF THE EFFORT TO RECOVER U.S. REMAINS FROM QUANG BINH PROVINCE WILL CONTAIN INFORMATION ON THE RECOVERY OF COL O'GRADY'S REMAINS.

CASE 0826 (MOORE). PAVN UNITS RESPONSIBLE FOR DOWNING CAPTAIN MOORE'S AIRCRAFT PREPARED REPORTS ON HIS INCIDENT AND ON HIS DEATH AND BURIAL. THESE RECORDS, WHICH WOULD HAVE DOCUMENTED THE LOCATION OF HIS GRAVE, WERE SENT TO MILITARY REGION 4 AND WOULD HAVE BEEN AVAILABLE TO SRV OFFICIALS WHO, BEGINNING IN LATE 1972, VISITED QUANG BINH PROVINCE TO REPORT ON THE FATE OF U.S. PILOTS AND TO RECOVER THEIR REMAINS. WE BELIEVE THAT CAPT MOORE'S REMAINS WOULD HAVE BEEN A NATURAL FOCUS OF THESE EFFORTS, AND THAT RECORDS OF REMAINS RECOVERY ATTEMPTS IN QUANG BINH PROVINCE WILL CONTAIN INFORMATION RELEVANT TO THIS CASE.

CASE 1843 (WILES). LIEUTENANT WILES WAS BURIED IN A WELL DOCUMENTED AND EASILY LOCATABLE GRAVE SITE IN VAN TRACH VILLAGE, BO TRACH DISTRICT. DURING ROUND 10 OF OUR JOINT INVESTIGATIONS,

WITNESSES DESCRIBED THE BURIAL AND LOCATED THE ORIGINAL GRAVE SITE. THEY ALSO TOLD US THAT OFFICIALS RETURNED TO THE GRAVE SITE THREE DAYS AFTER BURIAL AND EXHUMED THE BODY IN ORDER TO TAKE PHOTOS OF THE CORPSE, PRESUMABLY TO FULFILL STANDARD REQUIREMENTS FOR REPORTING ON THE DEATH OF U.S. PERSONNEL. WHEN OUR EXPERTS EXCAVATED THIS GRAVE SITE, THEY REPORTED THAT THE GRAVE APPEARED TO HAVE BEEN PREVIOUSLY EXCAVATED WITH A THOROUGHNESS THAT SUGGESTED A PROFESSIONAL RECOVERY. INFORMATION FROM WITNESSES AT THE SCENE STRONGLY SUGGESTS RECOVERY WAS BY SRV OFFICIALS.

CASE 1747 (PEARCE). BASED ON INFORMATION IN U.S. FILES, WARRANT OFFICER PEARCE IS KNOWN TO HAVE DIED IN HIS INCIDENT. FACTS REGARDING THE LOCATION AND CONDITION OF HIS REMAINS, EVIDENCE THAT PAVN TROOPS WERE QUICKLY ON THE SCENE, AND OTHER REPORTING RELATING TO WO PEARCE STRONGLY SUGGEST THAT REPORTS ON THIS INCIDENT WERE SUBMITTED TO HIGHER HEADQUARTERS AND REACHED HANOI. THOSE RECORDS SHOULD PROVIDE VERY USEFUL DATA THAT WOULD FACILITATE SRV RECOVERY OF WO PEARCE'S REMAINS.

CASE 1639 (PEDERSON). DURING ROUND 6, VIETNAMESE WITNESSES CONFIRMED WARTIME EVIDENCE THAT SERGEANT FIRST CLASS JOE P. PEDERSON DIED IN VIETNAMESE CAPTIVITY WHILE BEING EVACUATED TO A PW CAMP. TWO INDIVIDUALS WHO WERE ALSO CAPTURED WITH HIM, PRIVATE ROBERT T. PHILLIPS AND SPECIALIST FOUR JAMES M. ROZO, SURVIVED AND REACHED THE CAMP. WE BELIEVE THAT RECORDS RELATING TO THE CAPTURE OF ALL THREE MEN--AS WELL AS RECORDS PREPARED BY THE WARTIME CAMP COMMANDER RELATIVE TO THE CAPTIVITY, ATTEMPTED INDOCTRINATION, AND FATE OF PFC PHILLIPS AND SP4 ROZO---SHOULD ALSO CONTAIN INFORMATION IDENTIFYING THE LOCATION OF SFC PEDERSON'S BURIAL SITE. THIS INFORMATION SHOULD HAVE BEEN AVAILABLE TO PAVN FORCES WHO WERE CHARGED WITH RECOVERING THE REMAINS OF U.S. WAR DEAD. THOUGH THE EXAMPLES CITED HERE PERTAIN TO REMAINS AVAILABILITY, I.E. PEDERSON, WE ARE MOST ANXIOUS TO OBTAIN INFORMATION ON PFC PHILLIPS AND SP4 ROZO, BOTH LAST KNOWN ALIVE DISCREPANCY CASES.

CASE 0976 (SYKES AND REHE). PRIVATE FIRST CLASS SYKES AND PRIVATE FIRST CLASS REHE WERE CAPTURED ALONG WITH SIX OTHER U.S. PERSONNEL. U.S. RETURNEES LATER REPORTED THAT WHILE THEY WERE BEING EVACUATED TOWARD A PW CAMP, PFC SYKES AND PFC REHE WERE LEFT BEHIND AT DIFFERENT LOCATIONS ALONG THE EVACUATION ROUTE BECAUSE THEY WERE INJURED AND SLOWED THE PACE OF THE REST OF THE PARTY. EACH WAS LEFT ALIVE, SEVERELY WOUNDED, IN IDENTIFIABLE POSITIONS OCCUPIED BY YOUR FORCES. PAVN GUARDS LATER INFORMED THE U.S. POWS THAT PFC REHE AND PFC SYKES HAD DIED FROM THEIR WOUNDS. DURING INVESTIGATION IN ROUND 5, LOCAL OFFICIALS INDICATED THE BODY OF A BLACK SOLDIER, APPARENTLY PFC SYKES, HAD BEEN PREVIOUSLY RECOVERED BY THE PUBLIC SECURITY SERVICE. LOCAL OFFICIALS ALSO INDICATED THAT PAVN FORCES HAD RECOVERED ANOTHER SET OF REMAINS, PRESUMABLY THOSE OF PFC REHE, FROM THE CEMETERY OF A PAVN FIELD HOSPITAL.

CASE 0168 (MAYER). WITNESSES INTERVIEWED DURING ROUNDS 1 AND 2 SAID THAT LIEUTENANT MAYER'S REMAINS WERE TAKEN TO A HOSPITAL WHERE THEY WERE AUTOPSIED AND PHOTOGRAPHED. THE REMAINS WERE BURIED IN A CASKET IN LANG SON TOWN CEMETERY. THE PHOTOGRAPHER