

(SEE ATTACHED PHOTOS). ACCORDING TO ^{reportedly} THEY SAID THAT APPROXIMATELY 50 US PW'S ARE BEING KEPT AT VARIOUS CAMPS IN GROUPS OF SEVEN TO TEN IN AN AREA BETWEEN SEPPHONE, LAOS AND KHE SANH, SRV. THE SENIOR PRISONER WAS A MAN NAMED "MORGAN" WHO REPORTEDLY HAS A FAMILY IN TAMPA, FLORIDA. MORGAN WAS SUPPOSED TO HAVE WRITTEN A LETTER IN 1968 TO

HOW THIS INFORMATION WAS OBTAINED BY THE SCOUTS WAS UNCLEAR TO ANOTHER AMERICAN PW KEPT IN THE CAMP WAS A MAN WHO SUFFERS FROM A PARTIAL MEMORY LOSS. SOME OF THE PRISONERS WERE KEPT IN "MENTAL ISOLATION" AND SOME WERE NARCOTICS ADDICTS ACCORDING TO THE SCOUTS. THE AREA IN WHICH THE PW'S WERE KEPT WAS PROTECTED BY (VIETNAMESE). COULD PROVIDE NO FURTHER AMPLIFYING INFORMATION.

C. ON ABOUT THE 28TH OF JULY, 1987, MET AGAIN MET WITH IN A DIFFERENT ROOM. WOULD NOT DISCLOSE EXACTLY WHICH ONE. AT THAT MEETING SIMPLY PROVIDED WITH A HAND SKETCHED MAP OF THE LAO/VIETNAM BORDER REGION FROM THE EAST CHINA SEA TO THE SAVANNAKET AREA. ON THE MAP AN AREA IS

BLOCKED OUT AND LABELED "PW AREA." [REDACTED] HAD WRITTEN ON THIS DOCUMENT WHICH WAS APPROXIMATELY 11X14 INCHES IN SIZE. HE WROTE THE ENGLISH AND THE ARABIC NUMERALS. THE OTHER WRITING ON IT IS IN LAO. ACCOMPANYING THE SKETCH ON A SEPARATE PIECE OF PAPER WAS AN ENGLISH TRANSLATION OF THE LAO; THEY ARE MOSTLY PLACE NAMES AND CORRESPOND TO THE ARABIC NUMERALS. [REDACTED] HAD WRITTEN ON THE SKETCH. [REDACTED] COULD NOT OR WOULD NOT PROVIDE A NARRATIVE OF HIS DISCUSSION WITH [REDACTED] ON THIS OCCASION EXCEPT TO SAY THAT THE MAP WAS OF THE AREA IN WHICH THE CAMPS WHERE THE 50 US PW'S ARE KEPT. HE WOULD NOT FURNISH THE ORIGINAL (WHICH WAS A XEROX COPY) AND PROVIDED INSTEAD AN 8X10 INCH COPY.

D. [REDACTED] CONSIDERS THE INFORMATION "SOFT" AND STATED THAT HE REQUESTED [REDACTED] TO OBTAIN FURTHER PROOF OF THE EXISTANCE OF THE AMERICANS IN THE BORDER REGION. HE ALSO ACKNOWLEDGED THAT THE PHOTOS ARE SO UNDEREXPOSED AS TO BE ALMOST USELESS BUT SUGGESTED THAT THE DIA COULD DO SOMETHING TO ENHANCE THEIR QUALITY. HE SAID THAT [REDACTED] WAS TO GET IN CONTACT WITH HIM IN THE U.S. AS SOON AS HE COULD GET FURTHER PROOF. [REDACTED] DID NOT AT FIRST WISH TO DIVULGE [REDACTED] NAME BECAUSE HE WANTED TO MAINTAIN SOLE CONTACT WITH [REDACTED] AND DID NOT WANT REPRESENTATIVES OF THE USG QUESTIONING [REDACTED] DIRECTLY. AFTER IT WAS EXPLAINED TO HIM THAT SOME OF

THE PERSONS WITH WHOM HE HAD DEALT DURING 1986 HAD CONNECTIONS WITH THE SRV INTELLIGENCE SERVICES AND THAT NEEDED TO KNOW ALL INDIVIDUALS INVOLVED, RELUCTANTLY GAVE NAME AND DESCRIPTION.

E. I REQUESTED THAT CONTACT ME DIRECTLY IN THE FUTURE, FURNISHED HIM WITH FOUR OF THE OFFICE'S TELEPHONE NUMBERS AND INSTRUCTED HIM TO CALL COLLECT. HE WAS CAUTIONED THAT HE SHOULD NOT INTIMATE TO ANYONE THAT HE WORKS FOR THE DIA, NOR WAS HE BEING TASKED BY US TO DO ANYTHING. AS IN THE PAST, ANY INFORMATION THAT HE COULD PROVIDE WOULD BE WELCOMED.

F. ONE OF THE TOPICS TOUCHED UPON DURING THE INTERVIEW WAS ALLEGED MEETING WITH OF BANGKOK. HAD INFORMED ME DURING A RECENT VISIT THERE THAT HAD COME TO HIM STATING THAT WAS IN THAILAND TDY FROM THE DIA AND REQUESTED ADVANCE FUNDING FOR HIS TRIP. OF COURSE, DEMURRED. WHEN THIS WAS BROUGHT UP DURING THE COURSE OF THE INTERVIEW, DENIED THAT HE TOLD HE WAS TDY FROM THE DIA, THAT WAS A SUPPOSED SOURCE OF FUNDS FOR PW/MIA INFORMATION AND SIMPLY WAS EXPLORING THE POSSIBILITY THAT HE MIGHT NOT HAVE TO USE HIS OWN MONEY WHILE HE WAS WAITING FOR

... MEN TO PRODUCE THE FACTS THAT NEVER WORKED FOR THE DIA, AND DOES NOT NOW WORK FOR WERE EMPHASIZED TO HIM.

3. ON 17 AUGUST 1987, I REQUESTED TO DETERMINE IF THE PHOTOGRAPHS PROVIDED BY , THE ONE PROVIDED BY AND THE "MAT" PHOTO ALLEGED TO BE OF WERE OF THE SAME INDIVIDUAL AND TAKEN AT THE SAME LOCALE.

4. ON 17 AUGUST 1987, A SEARCH WAS MADE FOR ANY UNIT NUMBERED IT WAS FOUND THAT A REGIMENT SUBORDINATE TO AN UNIT LOCATED IN EXISTS, AND A REGIMENT WITH THAT NUMBER IS SUBORDINATE TO THE

OF THE . SINCE THE LATTER IS A UNIT, A PORTION OF IT MAY BE LOCATED ALONG WHICH TRAVERSES THE AREA DEPICTED BY THE SKETCH. THERE IS NO BRIGADE, IN OUR HOLDINGS.

5. COMMENTING ON THE QUALITY OF THE LAO LANGUAGE ON THE SKETCH MAP, NATIVE LAO SPEAKER SAID THAT THE INDIVIDUAL WHO DID THE WRITING WAS PROBABLY ABOVE THE THIS CONCLUSION WAS BASED ON

R 090516Z SEP 87 PS: 167615P26

FM JCRC LIAISON BANGKOK TH

TJ CDR JCRC BARBERS PT HI

INFO USCINCPAC HONOLULU HI//J2/J3/J36//

JCS WASHDC//J5/PW-MIA//

SECDEF WASHDC//OASD-ISA/PW-MIA//

AMEMBASSY VIENTIANE

AMCONSUL UDORN

DIA WASHINGTON DC//VO-PW/DAM/DAH-3//

WHITEHOUSE WASHDC//ASC/HR CHILDRESS//

SUBJ: JCRC RPT TA7-3441

MEMBER INVOLVED

- WITH MIA SEARCH

REF: A. USDAO BKK/PW-MIA 070633Z AUG 87; IIR 6 024

0053 87

- B. DIA/DAH-3 022316Z SEP 87 (IIR 6 024 0053 87

EVAL)

HE DECIDED TO QUIT HIS ACTIVE INVOLVEMENT,
WITH THE EXCEPTION OF ONE CASE; MORGAN JEFFERSON
DONAHUE. SOURCE EXPLAINED THAT GAVE HIM A COPY
OF A FLYER WRITTEN IN LAO EXPLAINING THE CIRCUMSTANCES
OF DONAHUE'S LOSS. SOURCE LATER OBTAINED INFORMATION
ABOUT AN INCIDENT WHICH HE BELIEVES MAY RELATE TO
DONAHUE (WHICH WILL BE REPORTED BY SEPARATE REPORT.)

SOURCE SAID HE FELT SORRY FOR THE FAMILY, AND WISHED TO ; 074 73 503

13-S 2#8;# #3 73)83132 .-6 43)-53 59

39,-#73'S CASE.

Note - never heard from Kingston.

(248)



Department of State

TELEGRAM

14

POL 27-7 VIET

LIMITED OFFICIAL USE 082

PAGE 01 SAIGON 10389 111159Z

43

ACTION OPW-01

INFO OCT-01 EA-11 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03 NSAE-00 NSC-10

PA-03 RSC-01 PRS-01 SS-15 AS-01 IO-13 RSR-01 /080 W
056320O 111035Z JUN 73
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC IMMEDIATE 2984

LIMITED OFFICIAL USE SAIGON 10389

E.O. 11652: N/A
TAGS: MOPS, VS
SUBJECT: PW REPORT BY NVA DEFECTOR

REF: STATE 112133

DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY <u>SS</u>	DATE <u>1-29-81</u>
RDS <input type="checkbox"/> or XDS <input type="checkbox"/> EXT. DATE _____	
TS AUTH. _____	REASON(S) _____
ENDORSE EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFIED <input type="checkbox"/> RELEASABLE <input checked="" type="checkbox"/>	
RELEASE DENIED <input type="checkbox"/>	
PA or FOI EXEMPTIONS _____	

1. NVA RALLIER/DEFECTOR NGUYEN THANH SON WAS SURFACED BY GVN TO PRESS JUNE 8 IN SAIGON. IN FOLLOW ON INTERVIEW WITH AP, UPI AND NBC AMERICAN CORRESPONDENTS, QUESTIONS ELICITED INFORMATION THAT HE HAD SEEN SIX PRISONERS WHOM HE BELIEVED WERE AMERICANS WHO HAD NOT YET BEEN RELEASED. AMERICAN OFFICER PRESENT AT INTERVIEW REQUESTED NEWS SERVICES TO PLAY DOWN DETAILS; AP MENTION WAS CONSISTENT WITH EMBARGO REQUEST, WHILE UPI AND NBC AFTER TALK WITH EMBASSY PRESS OFFICER OMITTED ITEM ENTIRELY FROM THEIR STORIES.

2. DETAILS OF RALLIER'S ACCOUNT BEING REPORTED SEPTEL THROUGH MILITARY CHANNELS BY BRIGHT LIGHT MESSAGE TODAY.
WHITEHOUSE

SAIGON 10389
6-11-73

N.B.

①

ROUTINE

R 091940Z MAR 88 09V 119755P28

FM CDR JCRC BARBERS PT HI

TO JCRC LIAISON BANGKOK TH

INFO USCINCPAC HONOLULU HI//J36// DIA WASHINGTON DC//VO-PH//
 SECDEF WASHINGTON DC//DASD-ISA/PW-MIA//
 WHITE HOUSE NATIONAL SECURITY COUNCIL WASH DC
 JCS WASHINGTON DC//JCJCS-PW-MIA/J5//

VSC FOR MR. CHILDRESS

SUBJ: EVALUATION OF RPT TB7-485 (U)

A. JCRC LIAISON BANGKOK TH 160605Z DEC 87

1. INITIAL ANALYSIS OF THE INFORMATION PROVIDED BY SOURCE OF REF A, REVEALS NO CORRELATION TO DATA IN JCRC FILES. THIS IS NOT A FINAL EVALUATION.

2. "MORGAN SAYSON" IS NOT AN UNACCOUNTED FOR INDIVIDUAL.
 EVAL - RLJ

NOTE: "SAYSON" is a Lao pronunciation of Jefferson (Morgan's middle name) + those bastards know it!

ROUTINE

R 081900Z JAN 88 PSY 798796P46

FM CDR JCRC BARBERS PT HI

TO JCRC LIAISON BANGKOK TH

INFO USCINCPAC HONOLULU HI//J36// DIA WASHINGTON DC//VO-PW//
 SECDEF WASHINGTON DC//DASD-ISA/PW-MIA//
 WHITE HOUSE NATIONAL SECURITY COUNCIL WASH DC
 JCS WASHINGTON DC//JCJCS-PW-MIA/J5//
 NSC FOR MR. CHILDRESS
 SUBJ: EVALUATION OF RPT T87-344

A. JCRC LIAISON BANGKOK TH 090516Z SEP 87

1. INITIAL ANALYSIS OF THE INFORMATION PROVIDED BY SOURCE OF REF A, REVEALS NO CORRELATION TO DATA IN JCRC FILES. THIS IS NOT A FINAL EVALUATION.

2. SOURCE'S LIMITED INFORMATION CONCERNING THE LOSS OF A C-123 AIRCRAFT IN SAVANNAKHET PROVINCE IS INSUFFICIENT TO PERMIT ITS CORRELATION TO ANY OF THE FIVE UNRESOLVED INCIDENTS IN SAVANNAKHET PROVINCE WHICH INVOLVED C-123 AIRCRAFT OR AIRCRAFT WHICH COULD BE MISTAKEN FOR C-123 AIRCRAFT.
 :VAL - RLJ.

INDOCHINA POW TIMELINE

YES, AMERICA DID LEAVE PRISONERS OF WAR BEHIND IN SOUTHEAST ASIA !!
IT'S TIME TO BRING THEM HOME.

Prepared by

DR. JEFFREY C. DONAHUE

(BROTHER OF MAJ. MORGAN J. DONAHUE, USAF, MIA - LAOS, DEC. 13, 1968)

FEBRUARY 1990

Distributed by

Connecticut Chapter

National Forget-Me-Not Association for POW/MIAs, Inc.

INDOCHINA POW TIMELINE

**YES, AMERICA DID LEAVE PRISONERS OF WAR BEHIND IN SOUTHEAST ASIA !!
IT'S TIME TO BRING THEM HOME.**

The following timeline of newspaper articles, press releases, Congressional testimonies and other documents explains how and why American POWs were left behind in captivity in Southeast Asia. It also explains why Vietnam and Laos continue to hold American POWs today.

Because the POWs were alive when the war ended and because there is no evidence that they have since died, we can conclude only that they are alive and in captivity today. Does America have enough integrity to bring them home, NOW? If we do not, then we have forfeited that for which they believed they were fighting: America's freedom and dignity. If every resource is not marshalled to bring them home, now, then as a country we will have fallen to the lowest moral standard. As friends of mine have observed, when one American is not worth the effort to be found, we as Americans have lost.

For background regarding POWS in Indochina, this Timeline starts with the following:

January 4, 1965 Newsweek, "Vietnam: Fortune's Scapegoat," p. 24.

"After the fall of Dienbienphu in May 1954, a fresh inscription was chiseled in the gray stone war memorial in the little Breton town of Pleudihen. Lettered in gold, it read: 'Yves Le Bray, mort pour la France.' (died for France) And on All Saints Day every year thereafter, someone from the Le Bray family joined in placing a wreath beside the plaque honoring Yves and other heroes of Pleudihen who had died for France.

Last week, however, who should be sipping 'vin rouge' in a local cafe but Yves Le Bray--rather the worse for wear, but still alive....

Le Bray's lost decade began...when he was a 21-year-old PFC serving as a radioman with a French artillery battalion near the port of Haiphong, in North Vietnam. Ambushed while on night patrol, Le Bray spent the next six months in a Communist prison camp. And at war's end, instead of being returned to France like most of his fellow prisoners, he was packed off by the North Vietnamese Government to Langson, near the Chinese border, to become a slave laborer....

Having lost all trace of him, French authorities presumed that Le Bray had been killed in action and thus it was that his name was added to the 'monument aux morts' back in Pleudihen....

Eventually, more than ten years after his capture, the French Legation in Hanoi found out about Le Bray, obtained his freedom, and sent him winging homeward aboard an Air France jet."

COMMENT: Following the French defeat in Indochina, the North Vietnamese proclaimed that all the French POWs had been given back to France and that there were no more French POWs in captivity. Le Bray was living proof to the contrary. Today, the Vietnamese say the same thing about American POWs. Rigidly following the Stalinist model, the North Vietnamese did not consider captured French servicemen as POWs, nor do they so consider captured American servicemen as POWs. Rather, the POWs are "war criminals" who in the Stalinist doctrine are stateless individuals. Thus, the North Vietnamese could and do say they have been holding no Frenchmen, Americans, nor any POWs, while at the same time it is precisely what they have been doing.

January 23, 1973 1973 Vietnam Peace Agreement, Chap. VIII, Article 21. (The Agreement was initialed and announced on January 23, 1973 and was signed January 27, 1973.)

"The United States anticipates that this agreement will usher in an era of reconciliation with the Democratic Republic of Vietnam as with all

the peoples of Indo-China. In pursuance of its traditional policy, the United States will contribute to healing the wounds of war and to post-war reconstruction of the Democratic Republic of Vietnam and throughout Indo-China."

COMMENT:

The Paris Peace Agreement, negotiated by Henry Kissinger and ratified by Congress, committed the United States to rebuilding North Vietnam and all of Indochina. President Nixon, in a secret letter to Vietnam Premier Pham Van Dong (quoted later), affirmed the amount of that reconstruction aid at \$3.25 billion, with food and other commodity aid of up to \$1.5 billion. In other words, to induce North Vietnam to sign the Agreement the United States promised to "pay up." In a very real sense, the United States tried to buy its way out of the war. The choice of words, "Era of Reconciliation" and "Post-War Reconstruction" were tremendous embellishments given the reality of the situation in Vietnam, and served to falsely build North Vietnam's expectations.

The North Vietnamese, having no reason to trust the United States, needed collateral for their own protection regarding the United States' promise to provide aid. That collateral was the POWs. Indeed, as is shown later, the North Vietnamese linked release of the POWs to aid at the very beginning of the Peace Talks. Because of the incredibly intense efforts to rescue downed pilots and other servicemen during the war, the North Vietnamese knew how much the POWs meant and held many of them back as a downpayment on the promised aid. In effect, the United States promise to provide aid to Hanoi put a price on the POWs' heads of \$4.75 billion. These are the POWs who did not come home during Operation Homecoming.

The North Vietnamese -- not the United States -- provided the list of American POWs to be repatriated from Vietnam. (There was no list for the POWs in Laos.) The United States naively accepted the list knowing full well it was incomplete. Major General Eugene Tighe, USAF, then Director of the Defense Intelligence Agency, said that according to United States intelligence sources he had fully expected the North Vietnamese list to have 600 more names than were on it. To the United States intelligence community, the list for our POWs in North Vietnam was 600 names short.

January 24, 1973 Pacific Stars and Stripes, "U.S., N. Viets to Exchange POW Lists."

..."Kissinger said those held by the Communists will be released in groups at about 15-day intervals throughout the 60 days allotted for repatriation.

'American prisoners held in Laos and North Vietnam will be released to us in Hanoi,' he said. 'They will be received by American medical

evacuation teams and flown on American planes to places of our own choice, "..."

COMMENT: According to Henry Kissinger, the release of the POWs held in Laos was the responsibility of the North Vietnamese under the terms of the Paris Peace Agreement. However, not only was the war in Laos still underway, including intense bombing by the United States, but also the Laotians claimed sovereignty over the American POWs there. (This is explained in detail later.) That sovereignty was affirmed by the North Vietnamese. At this stage, though, there were two critically important points in Kissinger's comment: first, his verification of the existence of American POWs in Laos; and, second his confusion over their status.

January 29, 1973 The New York Times, "Communists List 555 POWs."

... "The Defense Department spokesman, Jerry W. Friedheim, said that the Communists' lists were 'incomplete' because they did not include American servicemen known to have been captured in Laos. He emphasized that the United States would continue to press the other side for a listing of prisoners held in Laos...."

There have been conflicting statements from United States officials on whether North Vietnam was required to turn over a list of American prisoners held in Laos under the agreement or the accompanying protocols."

COMMENT: Not surprisingly, given Kissinger's misunderstanding about the POWs in Laos, even other American officials did not understand the situation.

January 30, 1973 Pacific Stars and Stripes, "Reds Fail to List POWs Taken in Laos."

"The North Vietnamese have failed to furnish the United States with a list of American fighting men taken prisoner in Laos, Pentagon officials and an organization of POW families said Sunday...."

Some military officers suggested the North Vietnamese might be holding back on this information to deter further U.S. bombing of the North Vietnamese supply trails through Laos. More than 120 American bombers hit Laos and Cambodia after the Vietnam cease-fire....

Pentagon spokesman Jerry W. Friedheim said it is true that no Laos list was provided.

He said the matter is being discussed with the North Vietnamese through diplomatic channels in Paris.

'We do expect to receive a list,' Friedheim said....

Laos is not covered by the Vietnam cease-fire, although Henry A.

Kissinger, the chief U.S. peace negotiator, has said the U.S. government has firm expectations there will be an early halt to the fighting there....

In explaining the agreement with North Vietnam and the Viet Cong, Kissinger told a White House news conference that 'American prisoners held in Laos and North Vietnam will be returned to us in Hanoi.'

COMMENT: The United States complained that the North Vietnamese had not provided a list of POWs held in Laos and reiterated the American perception of the Agreement that those POWs were the responsibility of the Vietnamese. The suggestion by some United States military officers that the POWs were being held back deliberately was most certainly correct, both as a deterrent to further bombing in Laos and as a downpayment on promised American aid.

January 31, 1973 Pacific Stars and Stripes, "Fate of 56 POWs Is Still a Mystery."

"The Defense Department said Monday 56 American servicemen previously carried by the United States as prisoners of war remain unaccounted for by North Vietnam.

Pentagon spokesman Jerry W. Friedheim said their names 'are not on the two lists we have received so far.'

These lists, handed to U.S. officials in Paris Saturday by the North Vietnamese, identified 555 U.S. fighting men held in Communist prison camps in North and South Vietnam as well as the names of 55 POWs the Communists said died in captivity.

In turning over these lists, the Communists also failed to furnish information on Americans taken prisoner in Laos or provide clues to the fate of more than 1,300 Americans still missing in action throughout Southeast Asia....

The State Department said 'We firmly expect to have a list of POWs to cover Laos.'

Presumably Washington is pressuring Hanoi for its Laos list, although State Department spokesman Charles Bray declined to specify what diplomatic effort was underway."

COMMENT: The United States not only acknowledged that all of the known POWs in Vietnam had not been accounted for but also reiterated our knowledge of the existence of POWs in Laos. Ultimately, the United States repeated the mistake it made in Korea of accepting the enemy's list of American POWs despite our own intelligence that many more men were being held back. Indeed, as cited by then Major General Eugene Tighe previously, the belief among the intelligence community was that there should have been 600 more men than the 555 identified by the North Vietnamese. The 56 were "hard core" POW cases.

February 1, 1973 Former President Nixon's "Message to Prime Minister Phan Van Dong" (This letter was kept secret during and after the negotiations and was finally declassified and published in The Department of State Bulletin on June 27, 1977, p. 674.)

"The President wishes to inform the Democratic Republic of Vietnam of the principles which will govern United States participation in the postwar reconstruction of North Vietnam....

1) The Government of the United States of America will contribute to postwar reconstruction in North Vietnam without any political conditions.

2) Preliminary United States studies indicate that the appropriate programs for the United States contribution to postwar reconstruction will fall in the range of \$3.25 billion of grant aid over five years. Other forms of aid will be agreed upon between the two parties....

3) The United States will propose to the Democratic Republic of Vietnam the establishment of a United States-North Vietnamese Joint Economic Commission within 30 days from the date of this message.

4) The function of this Commission will be to develop programs for the United States contribution to reconstruction of North Vietnam. This United States contribution will be based upon such factors as:

(a) The needs of North Vietnam arising from the dislocation of war;

(b) The requirements for postwar reconstruction in the agricultural and industrial sectors of North Vietnam's economy.

5) The Joint Economic Commission will have an equal number of representatives from each side. It will agree upon a mechanism to administer the program which will constitute the United States contribution to the reconstruction of North Vietnam. The Commission will attempt to complete this agreement within 60 days after its establishment.

6) The two members of the Commission will function on the principle of respect for each other's sovereignty, non-interference in each other's internal affairs, equality and mutual benefit. The offices of the Commission will be located at a place to be agreed upon by the United States and the Democratic Republic of Vietnam.

7) The United States considers that the implementation of the foregoing principles will promote economic, trade, and other relations between the United States of America and the Democratic Republic of Vietnam and will contribute to insuring a stable and lasting peace in Indochina. These principles accord with the spirit of Chapter VIII of The Agreement on Ending the War and Restoring Peace in Vietnam which was signed in Paris on January 27, 1973....

In regard to other forms of aid, United States studies indicate that the appropriate programs could fall in the range of 1 to 1.5 billion dollars depending on food and other commodity needs of the Democratic Republic of Vietnam."

COMMENT:

In this communication to Pham Van Dong, President Nixon delineated the United States reconstruction package for North Vietnam at \$3.25 billion, with a supplement for food and commodity aid of up to \$1.5 billion. Note that the package applied to North Vietnam only. (Laos and Cambodia were not mentioned.) Although per Article VIII, Chapter 21 of the Paris Peace Agreement the United States referred to the rebuilding of North Vietnam in only the most general of terms, in this letter Nixon put \$4.75 billion on the table, just for the North Vietnamese. The existence of this commitment was kept secret from Congress and the American people.

No matter how any Westerner interprets it, to the Vietnamese a deal had been made. Holding back POWs became their security for the deal to be consummated. What the North Vietnamese did not anticipate, though, was that Nixon would choose to abandon the POWs instead of providing the aid. (This is explained later.) Also, Principle #7 of the letter was an unequivocal statement to the North Vietnamese that the United States also would pursue normal commercial relations with them in the future. This did not and has not happen.

February 16, 1973 Pacific Stars and Stripes, "U.S., Hanoi Tell Plan To Rebuild Vietnam."

"The United States and North Vietnam will create a joint economic commission to oversee rebuilding of the war-torn country with U.S. dollars, the two sides announced Wednesday.

A communique issued by the White House and Hanoi on four days of talks by President Nixon's envoy, Henry A. Kissinger, and North Vietnamese leaders in Hanoi listed no specific figures for U.S. post war aid.

But the language displayed a new cordiality between the two nations."

COMMENT:

Note that the details of the aid package, i.e., \$4.75 billion, still were kept secret by Nixon and Kissinger and that reference was made only to "rebuilding" North Vietnam with American dollars.

With this narrower public announcement, the United States even more deeply committed itself to providing reconstruction aid to North Vietnam. We had promised aid as part of the Agreement (Article 21), we had fixed that aid at \$4.75 billion (secret letter from Nixon to Pham Van Dong), and now we went public with a program to implement aid. The North Vietnamese could not have had a clearer understanding of our intentions.

February 17, 1973 Pacific Stars and Stripes, "Laos POW Release Tied to Truce."

"A Communist Pathet Lao spokesman said Saturday his group is holding Americans prisoners of war who will be released after a cease-fire goes into effect in Laos.

Soth Petrasay, the Pathet Lao's permanent representative in Vientiane, declined to give any details about American POWs in Laos. But he said the Pathet Lao leadership has a detailed accounting of prisoners and where they were being held and that both sides in the cease-fire negotiations are ready to exchange prisoners once the fighting ends.

White House advisor Henry Kissinger has said that North Vietnam pledged to return American prisoners from Laos in Hanoi, an undertaking that was apparently contradicted by Soth's statement.

The exchange will take place in Laos, Soth said. 'If they were captured in Laos, they will be returned in Laos.'...

Continued fighting was also reported going on in south and central Laos with increased air strikes by American B52 bombers, F111 swing-wing bombers and tactical fighter-bombers being flown to support CIA-sponsored irregular troops.

U.S. Embassy officials said Soth's comments Saturday were the first reference the Pathet Lao has made to American prisoners since the cease-fire went into effect in Vietnam Jan 28."

February 18, 1973 The Washington Post, "Pathet Lao Says No Truce, No American POWs."

"The Communist Pathet Lao said today [February 17, UPI] that they will not free American prisoners of war until there is a cease-fire in Laos. It also said that the release would take place in Laos, rather than in North Vietnam."

COMMENT:

These were very important pronouncements by the Pathet Lao: first, in that they confirmed that they were holding American prisoners, and second, in that they, and not the North Vietnamese, would release them. Thus, Kissinger's understanding of the Paris Peace Agreement -- that the prisoners in Laos were the responsibility of the North Vietnamese and would be released at the same time as the prisoners in Vietnam -- was completely contrary to the Vietnamese and Laotian understanding.

Another confirmation of prisoners in Laos was a Pathet Lao military training film produced, "Twenty-Five Years of Revolution", showing dozens of captured American pilots. The film was shown to recruits in Pathet Lao training camps. Copies of the film which are shown to Lao soldiers today have the POW scenes clipped out.

February 18, 1973 The Washington Post, "Prisoners Claim VC Torture."

"American prisoners released by the Vietcong have claimed they were kept chained in cages in dense jungle along the border between South Vietnam and Cambodia.

One man said he had been caged for months without contact with other American prisoners or with anyone who spoke English....

According to the hospital sources, many were bitter about their treatment by the Vietcong."

COMMENT: The torture issue became the factor which ultimately blocked the aid package and caused Nixon to abandon the POWs, as explained later.

February 21, 1973 1973 Laos Peace Agreement (Cited in Treaties and Alliances of the World published by the U.S. State Department.)

"A peace agreement between the Government of Laos and the 'Pathet Lao' was signed on Feb. 21, 1973. It comprised 12 articles, of which the first laid down the general principles on which the future of Laos should be based....

Art. 10(c) 'The two parties take note of the declaration of the US Government that it will contribute to healing the wounds of the war and to post-war reconstruction in Indo-China. The Provisional National Union Government will hold discussions with the US Government in connexion with such a contribution regarding Laos.'

COMMENT: Although the Laotian treaty was between the Royal Lao and Pathet Lao and was not a treaty signed by the United States, the Lao parties did take careful note of the Paris Peace Agreement and said, "Give us the same!" regarding reconstruction aid. In other words, as the Paris Peace Agreement provisions extended to "all the Peoples of Indochina" (see page 2), the new Provisional National Union Government in Laos felt it was entitled to American aid, too. Indeed, it went so far as to say that discussions would be conducted with the United States on the aid issue.

Inevitably, the situation regarding the POWs in Laos thus became the same as in North Vietnam, except that in Laos all the POWs -- not just some of them -- were held back as collateral.

February 23, 1973 Pacific Stars and Stripes, "Rogers: Don't Bar N. Viet Aid."

"Secretary of State William P. Rogers Wednesday refused to rule out reconstruction aid to North Vietnam by presidential order if Congress fails to appropriate the funds....

INDOCHINA POW TIMELINE

Rogers three times called for 'restraint' by members of Congress in making adverse comments on the aid issue, at least until American troops are out of Vietnam and all American prisoners are released."

COMMENT: Rogers' statement was very important. Kissinger and Nixon knew they had made a substantial promise to the North Vietnamese and that the aid was the quid pro quo if all the POWs were to be released. Therefore, they could not afford to default on the aid and threatened to get it by Presidential order instead if Congress did not appropriate it. (As Secretary of State, Rogers had become point-man in the attempt to get Congress to appropriate the aid funds.)

This article also revealed that Congress was beginning to vacillate about the aid package when the first prisoners came back and told about their torture in captivity.

March 2, 1973 President Nixon's News Conference (Cited in Presidential Documents, Richard Nixon 1973).

In answer to a question by Courtney R. Sheldon of the Christian Science Monitor, "...first, with regard to Laos, the agreement there was made by the Royal Laotian Government, and it is an agreement which we, of course, supported and we accept."

COMMENT: Here, by acknowledging and supporting the intra-Laotian peace treaty, the United States committed itself to providing aid to Laos, too. As was the case with regard to the United States promising aid to North Vietnam to induce it to sign the Paris Peace Agreement, the United States provided similar inducement to the Pathet Lao to sign a treaty with the Royal Lao. Nixon and Kissinger could not use American military power to win the Indochina war, so they turned to the all-powerful dollar.

March 7, 1973 Pacific Stars and Stripes, "U.S., N. Viet Paris Envoys Discuss Reconstruction Aid."

"U.S. and North Vietnamese representatives met Monday to discuss postwar reconstruction aid to North Vietnam, diplomatic sources said.

William H. Sullivan, deputy assistant secretary of state for East Asian and Pacific Affairs and Nguyen Co Thach, North Vietnamese deputy foreign minister, opened talks for the North Vietnamese peace talks delegation sources said.

The American peace delegation declined to confirm the opening of the talks on President Nixon's plan for the postwar financing of North Vietnam's reconstruction. The proposed aid already has prompted criticism in congress and the Senate Foreign Relations Committee has demanded Congressional approval of any aid to Hanoi.

Diplomatic sources said that Hanoi and Washington officials were discussing the establishment of a Joint Economic Commission which would channel American aid to North Vietnam and prove plans for the postwar reconstruction.

Nixon answered Congressional critics by saying aid money would come out of Defense and Agency for International Development funds instead of the domestic budget. The president said giving money to help North Vietnam rebuild its bombed country would contribute to 'lasting peace and stability in the area.'

COMMENT:

It is important to note that the discussions were held with Nguyen Co Thach, who was aware of Nixon's secret letter and who today is Foreign Minister of Vietnam. Thach clearly understood the \$4.75 billion deal, yet today we tell him the POW issue is humanitarian. To him it was and is economic. Keep in mind that Thach handles POW negotiations with the United States today.

Knowing that the aid was the price to be paid for the POWs in Laos and the unrepatriated POWs in North Vietnam, and facing opposition from Congress to the aid because of the torture issue, Nixon escalated the issue and threatened to secure the funds from the Defense Department and Agency for International Development budgets. This revealed Nixon's dilemma and desperation: he had to have the money to get the POWs, but he could not get Congress to appropriate it.

March 8, 1973 Pacific Stars and Stripes, "Rogers: We'll Go to Congress For Hanoi Aid OK."

"Secretary of State William P. Rogers said Tuesday the Nixon administration will seek prior authority from Congress for any economic assistance program to Vietnam....

At one point he was asked if the administration felt it had authority to provide aid without congressional approval.

'Not to my knowledge,' the secretary answered."

COMMENT:

Nixon's capitulation on Congressional approval of aid attenuated the acrimonious debate. While this reversal was not uncommon for Nixon, it is surprising in view of his previous statements.

It is fundamentally important to note that this capitulation turned the fate of the POWs over to Congress. However, Congress was entirely unaware that the return of POWs demanded a \$4.75 billion price. Congress did not perceive the North Vietnamese linkage between aid and the POWs because it had never seen the details of the aid package as spelled out in Nixon's letter of February 1 to Pham Van Dong. Congress simply did not know that the POWs were in its hands.

March 25, 1973 Pacific Stars and Stripes, "U.S. Fears Laos POWs Will Be Used as 'Pawns'."

"U.S. officials said Friday that despite continued efforts, they have been unable to learn anything more of the fate of an undetermined number of American prisoners of war in Laos.

The officials said no new light had been shed on the total number or whereabouts of the Laos POW's. Concern mounted that the Communists plan to hold them back as pawns in the continuing struggle in Indochina.

The question of Laos POW's has become an issue in the continuing release of American prisoners by North Vietnam, with the United States ordering a holdup in the withdrawal of its last troops from South Vietnam until the Communists say when and where they will turn over nine Americans -- seven military and two civilians -- whose names appeared on a list of Laos POW's provided by the North Vietnamese.

In addition to the nine there are approximately 320 Americans listed as missing in action in Laos. Most of them are air-crewmembers downed during combat missions.

U. S. sources believe that a substantial number of the missing--perhaps as many as 100--still may be alive. The conclusions are based on inspections of crash sites by search teams and on intelligence reports.

Friday was also marked by the expiration of the formal 30-day deadline for the formation of a coalition government in Laos. So far there has been little progress toward setting up the coalition under provisions of the cease-fire signed last Feb. 21, with government officials accusing the Communist Pathet Lao of causing the delay."

[Soth Petrasay, the Pathet Lao spokesman] "broke a long silence on POW's last month to say they were holding Americans and that persons captured in Laos would be returned in Laos, despite U.S. contentions that North Vietnam had agreed to release Laos POW's in Hanoi.

The Pathet Lao declined to give further details about prisoners. In contacts since then, U.S. officials say they have been unable to learn anything more.

The list of nine American and one Canadian names was provided by the North Vietnamese when the United States inquired why no Laos POW's were included in the 555 names turned over at the time the Vietnam cease-fire was signed."

COMMENT: This tells it all in Laos. The POWs held in Laos became pawns in the uncertainty and confusion which characterized the United States interpretation of the Agreement and subsequent events regarding the POW/aid linkage. It is very important to note that when the United States complained at the last minute about the North Vietnamese failure to return POWs from Laos, the North Vietnamese produced nine POWs who had been captured in Laos and subsequently moved to Vietnam. Despite our awareness that

there were POWs imprisoned in Laos, which was affirmed by the North Vietnamese and the Laotians themselves, not one of these POWs was released; they were held back as pawns and as collateral. Also, the nine POWs captured in Laos and released from Hanoi had been held separately from the other POWs captured in Vietnam. They had never been integrated into the regular POW system. [For a personal account of this isolation read Ernie Brace's book, A Code to Keep. According to Brace's testimony before the House Select Committee on Missing Persons on April 9, 1976, all the prisoners captured in Laos who ended up in the Hanoi prison system were segregated from the other prisoners and held separately in a group known as the 'Lulu' group. In January 1973, the Lulu group was told of the Paris Peace Agreement but were informed they would not be released until there was a peace settlement in Laos. In March 1973, they were informed they would be released with the other American POWs.]

Two additional considerations warrant comment. First, in April 1973, Seth Petrasz told my mother and father in person that the Pathet Lao were holding over 100 American POWs. Second, there was a great discrepancy in our government's POW numbers in Laos. Whereas the tally purportedly was 320 in 1973, today it is approximately 560 (which implies that the live POW count was/is 175.) The real number is an ultra classified secret, because Laos officially was a neutral country per the Geneva Protocols of the early 1950's and the United States was not supposed to be involved in the war there.

March 26, 1973 Pacific Stars and Stripes, "New Snag Stalls Prisoner Release."

"North Vietnam told the United States Sunday it intended to release the last group of American prisoners it holds at Hanoi's Gia Lam Airport on Tuesday and Wednesday, but said the U.S. demand that it also release POWs captured in Laos 'is beyond the jurisdiction of the agreement [the Paris Peace Agreement]."

COMMENT: Here, North Vietnam told the United States unequivocally that the POWs in Laos were the responsibility of the Laotians and not the North Vietnamese. In other words, if the United States wanted the POWs from Laos returned it would have had to deal with the Laotians and offer a similar aid package to Laos, as well.

March 27, 1973 Pacific Stars and Stripes, "Hanoi Drags Feet."

"Bui Tin, chief spokesman for the North Vietnamese delegation, said the Pathet Lao 'have assured us that the American POWs they hold will be released' and that the Pathet Lao said they 'are making preparations for the release.'

'It is for this reason we are insisting that the withdrawal of U.S. troops and the release of the prisoners take place with no relation to the POWs held by the Pathet Lao,' said Tin."

COMMENT: The North Vietnamese reiterated that there were POWs in Laos and that the situation regarding these POWs was unrelated to the withdrawal of American troops from South Vietnam and the prisoner exchanges in the two Vietnams; it was up to the United States and the Laotians.

Note that by this time everybody -- the North Vietnamese, the Laotians, the State Department and Defense Department -- had affirmed that there were POWs in Laos. There could be no more compelling proof than three separate governments saying there were POWs in Laos. However, not one of these POWs was released. They continue to rot in jungle prison camps today -- some dying slow, cruel deaths, and abandoned by their own country.

April 3, 1973 Pacific Stars and Stripes, "Torture Stories Dampen Chances Of Hanoi Aid."

"Reports from returning prisoners of war of torture and mistreatment by Hanoi have stirred new attacks in Congress against U.S. aid for North Vietnam.

President Nixon has said he plans to ask Congress for such aid as 'an investment in peace.'

Senate Democratic leader Mike Mansfield of Montana said the torture stories have not changed his own position that aid to Hanoi would help ensure the peace. But, he added, he does not know what effect the stories will have on getting aid through Congress.

'Even before this it looked difficult,' Mansfield said.

Sen. James L. Buckley, R-NY, called on Secretary of State William P. Rogers to issue the 'strongest possible protest' to North Vietnam over treatment of U.S. prisoners of war.

In a statement Sunday Buckley also urged President Nixon to 'carefully reconsider any proposal for economic assistance to North Vietnam in light of the POW reports on treatment and prison conditions.'

Rep. Joel T. Broyhill, R-Va., said the stories 'convince me that not a cent of American aid money should be spent on rehabilitating a country that is apparently run by savages.'

COMMENT: Congress was now starting to say "No" to aid for North Vietnam. The amazing aspect of this was that Congress was unaware that Nixon had promised the North Vietnamese \$4.75 billion in his secret letter of February 1 and that the North Vietnamese had tied this to the release of the POWs whom they held back as collateral.

April 7, 1973 Pacific Stars and Stripes, "Senate: No Aid to N. Viet Less We OK It."

"The Senate voted Thursday to bar any aid to North Vietnam unless Congress specifically approves....

The ban on use of funds already appropriated for other purposes was added to a bill to revalue gold in support of the recent devaluation of the dollar in foreign exchange.

Administration spokesmen in the Senate pointed out also that no Indochina aid proposal has been submitted to Congress and said President Nixon is not going to make any such proposal until observance of the January cease-fire in Vietnam is assured.

Continued U.S. bombing in Cambodia became an issue in debate. An amendment by Sen. George McGovern, D-S.D., to cut off funds for any further U.S. military operations in and over any part of Indochina was ruled out of order.

Senate Majority Leader Mike Mansfield, D-Mont., demanded an end to bombing in Cambodia as a price for his support of aid to Indochina.

'How can we speak of rebuilding when B52 bombers, day after day, are still making some of the heaviest bombing runs of the war?' Mansfield asked in a Senate speech."

COMMENT: Congress now explicitly stated to Nixon there would be no aid for North Vietnam. Moreover, the war in Cambodia was still going on and U.S. bombing was about to resume in Laos (as stated below). Nixon's and Kissinger's interpretation of the Agreement as extending to all of Indochina was ludicrous. I believe that Nixon and Kissinger were so desperate to get out of this undeclared and catastrophic war that they knowingly signed a sham agreement.

April 13, 1973 Pacific Stars and Stripes, "Hanoi Aid Opposed By Hebert."

"House Armed Services Chairman F. Edward Hebert has served notice he will introduce a proposal to prohibit any U. S. aid for Hanoi.

'We might as well bite this bullet right now,' Hebert told his committee.

The Louisiana Democrat also said justification for President Nixon's request for \$1.3 billion aid to Southeast Asia so far 'is either nebulous or nonexistent.'...

Hebert said he will introduce the amendment prohibiting aid to Hanoi to the bill.

None of the weapons money likely would go to the North Vietnamese anyway, but Hebert's statement put his weight against the controversial

INDOCHINA POW TIMELINE

Hanoi aid that President Nixon has said he may ask for later."

COMMENT: Hebert, a very powerful Congressman, cited \$1.3 billion as Nixon's aid request to all of Southeast Asia. Apparently Nixon had conveyed the smaller sum to Congress in early April in hope of getting at least some funds to try to fulfill his commitment to the North Vietnamese. However, Hebert said, "No", to any funding.

At this stage, all was now lost for Nixon regarding his pledge to the North Vietnamese. He could not get the funding and he knew that without it the North Vietnamese would not release the POWs they held back. The same was true for the POWs in Laos, as the Laotians, too, were looking for American aid in return for our POWs.

April 14, 1973 Pacific Stars and Stripes, "POW-Unit Boss: No Living GIs Left in Indochina."

"The Pentagon's prisoner of war task chief said Thursday there are probably no more live American soldiers loose anywhere in Indochina.

Dr. Roger Shields also said there is no evidence that any POWs had been executed in captivity, with three exceptions....

The Pathet Lao in Laos and the insurgent forces in Cambodia will hopefully provide more information about fate of the Americans missing in those countries, Shields said, but 'we have no indication at this moment that there are any Americans alive in Indochina.'

Rumors that there were hundreds of U.S. servicemen still in Laotian prison camps 'do the families (of the missing) a disservice,' he said."

COMMENT: This is the culmination of the great POW tragedy. Unable to get the funding for the aid he had promised the North Vietnamese (and implicitly, the Laotians), Nixon defaulted on his aid commitments and abandoned the POWs. With this announcement (by his POW spokesman at the Pentagon, Dr. Roger Shields) Nixon slammed the door on the North Vietnamese and the Laotians and on the POWs who he and his State and Defense Department staffs knew were still in captivity. He cut and ran on the POW-aid subject and abandoned the POWs whose very existence the State and Defense Departments had been affirming all along.

April 18, 1973 Pacific Stars and Stripes, "New U.S. Air Raid in Laos."

"The United States resumed bombing of Laos Monday after accusing the North Vietnamese of violating the seven-week-old cease-fire by overrunning a Laotian village and air field....

Defense Department spokesman Jerry W. Friedheim said Monday that only a few hours earlier the North Vietnamese -- using both infantry and tanks -- overran Tha Vieng, a village and air strip on Route 4 between the Plain of Jars and city of Paksane.

Less than four hours later the Pacific command in Honolulu announced, 'at the request of the Royal Laotian government, U.S. aircraft, including B52s, April 16 conducted operations over Laos.'

COMMENT: This headline is self-explanatory: United States involvement in the war in Laos commenced again, effectively eliminating any chances of getting the POWs released from Laos.

July 23, 1973 In The Congressional Record Congressman Jack Kemp (R-NY) quotes from an article in the U.S. News & World Report, "Mystery of Missing GI's."

"North Vietnam is known--by Hanoi's own claims--to have captured men who were not returned, not listed as dead, and not accounted for.

No National Red Cross team has ever been allowed to visit and inspect the places where American prisoners were held....

No prisoners held in Laos have been sent back, and no accounting made of the dead.

The nine POWs supposedly repatriated from Laos actually had been held in North Vietnam....

Among the families of the MIA's, there is growing suspicion that some captured Americans are still alive in North Vietnam and Laos, being held as pawns for further bargaining with the U.S. over final terms of the war's settlement....

U.S. officials are reluctant to comment on this possibility. But one says openly: 'We do not think that everyone now on the missing list is dead.'

COMMENT: Not all Americans were fooled by the cover-up regarding American POWs in Indochina.

Also, it is very important to note that with the U.S. having officially denied that there were any American POWs in Indochina, the Vietnamese and Laotians had no alternative other than to echo that denial. They could not go public and say, "Look, we held your POWs back," in violation of the Paris Peace Agreement. Paradoxically, Nixon's pronouncement that there were no POWs in Indochina forced the Vietnamese to say the same thing.

July 21, 1976 Transcript from Hearings of The House Select Committee on Missing Persons in Southeast Asia. (selected pages)

Undersecretary of State Philip Habib: "Already before the Paris negotiations began, we were conscious of the need to account for our men because of the Communist side's refusal throughout the conflict to provide complete information on our prisoners of war, as required by the 1949 Geneva Conventions. As a result, we knew we would have to do all we could by all available means to obtain information about our missing personnel.... the Communist side bracketed the release of prisoners with what they described as 'U.S. responsibility for war damage in Vietnam' in a single numbered point. Although humanitarian issues such as POW/MIA's have been subjects of disagreement in the settlement of other past conflicts, I know of no instance in which an adversary so openly treated this humanitarian problem in this way. We thus recognized from an early date what we were up against and accounting for the missing a basic element of our own negotiating strategy.

I might note that international law, as framed in the Geneva Conventions, does not permit the linking of humanitarian obligations to other issues in the way done by the North Vietnamese."...

Congressman Benjamin Gilman, R-NY: "...when we were in Hanoi there were references made to some agreements made between our Government and Vietnam with regard to postwar reparations. Can you set forth for us just where we stand with regard to those negotiations? Were there any agreements we are not aware of, secret memorandum that this committee is not aware of?"

Mr. Habib: "There is no agreement or secret memorandum which this committee is not aware of in this respect. There were, as the committee is aware, some letters and exchanges. With respect to those letters, I think the Committee has been informed of the content of those letters as they bear on the question which the committee has raised. That is my understanding."...

Congressman Paul McClosky D-CA: "With all due respect, Mr. Secretary, this committee asked the Secretary of State and you the same question before we went to Hanoi last December. You did not advise us of that secret letter and we discovered its existence only when we got to Hanoi. Can you tell this committee now why we went to Hanoi without being advised of the existence of that letter which was known to the Secretary of State, especially after we asked you about it?..."

We didn't have any idea the letter existed. We asked you in November if there were any secret agreements that we should know about before we went to Hanoi and we were not advised by you or the Secretary of State of the letter's existence or of the \$3.25 billion figure which we later ascertained."

Mr. Habib: "That is not an agreement. It never developed into an agreement. Very frankly, Mr. Congressman, I didn't know of the existence of the letter at that time, either...."

Mr. Habib, when questioned further concerning President Nixon's letter to Pham Van Dong and when advised that Henry Kissinger had said

that he could not produce Presidential papers: "Let me make the answer very specific. There is no agreement, there was no agreement, there never was an agreement as far as I know, and I think I would know at this stage. We have researched it and there is no agreement with respect to the question of aid involved in that letter."

COMMENT: Through Mr. Habib's testimony the State Department acknowledged that the United States was aware that the Vietnamese firmly linked the POW issue to the aid issue within the parameters of the Paris Peace Agreement and Nixon's February 1, 1973 letter. That is to say, the North Vietnamese tied the POW issue to reconstruction aid at the beginning of the Paris Peace Negotiations!! This is why they kept POWs as collateral on the aid that Nixon promised. Habib then contradicted himself by stating that the letter did not constitute an "Agreement" to provide aid. To the Vietnamese, who held back POWs pursuant to the letter, it was an unequivocal agreement. (If you do not believe this, put yourself in the shoes of the Vietnamese and reread the letter on page 5.)

It is hard to tell whether Habib was telling an outright lie in his testimony or was just intent on confusing the POW issue further so as to protect the State Department against claims that the POWs had been abandoned. Both interpretations probably are correct.

April 1, 1977 Excerpts of Testimony by Leonard E. Woodcock before the House Subcommittee on Asian and Pacific Affairs. (Mr. Woodcock, former head of the AFL-CIO had been appointed by President Carter to head a Presidential Commission to study the POW issue -- the Woodcock Commission. The Commission went to Hanoi and Vientiane for discussions with the Vietnamese and Laotians.)

"The Lao made clear to the Commission that the MIA issue was linked to U.S. assistance, expressing the belief that the two problems should be resolved together since both resulted from the war."

Mr. Woodcock (speaking to Chairman Lester Wolff D-NY): "They were saying to us what had been said right along, that their obligation with regard to the MIA's they felt, was lodged in paragraph 8(b) of the Paris accord, and our obligation to them in healing the wounds of war and reconstruction was lodged in paragraph 21, and those two were linked."

COMMENT: The position of the North Vietnamese and Laotians regarding the POW/MIAs was firm and consistent: the United States would have to pay for their release per our written commitments.

For the United States government today to consider the POW/MIA issue as "humanitarian" is a cruel distortion of the facts. In the beginning we made it an economic issue, and the Vietnamese and Laotians continue to this day to

hold us to our commitment.

January 23, 1981 The Morning Star, North Carolina, "Witness says Garwood told of POWs who stayed."

"Marine Pfc. Robert Garwood reported seeing 'a couple of hundred other Americans' still in captivity in Vietnam and complained of being unable to make that information public, a Navy psychiatrist testified Thursday.

'Garwood said he didn't know exactly who the Americans were, but that he was upset and concerned that he was not debriefed like other people,' Capt. Benjamin R. Ogburn told a jury of five Marine officers in the court-martial of Garwood....

After listening to Ogburn's testimony, presiding judge Col. R.E. Switzer ruled that his statements about POWs remaining in Vietnam were irrelevant and should be stricken from the record and disregarded by jurors.

Previous attempts by the defense to introduce testimony about remaining POWs in Southeast Asia also had been rejected by Switzer."

COMMENT: By this time the deliberate distortions perpetuated by the Defense and State Departments regarding the POW issue had turned into a cover-up. Even Bobby Garwood's testimony that he had seen American POWs was stricken from the record.

Essentially, the State and Defense Departments were circling their wagons to protect themselves. Since careers were at stake regarding the policy that there were no American POWs in captivity, all steps had to be taken to protect that policy and the people who perpetuated it.

June 25, 1981 House Subcommittee on Asian and Pacific Affairs, "Servicemen Held Against Will." Dialogue between Congressman Stephen Solarz (D-NY) and Lieutenant General Eugene Tighe (USAF-Retired) on the POW issue.

Mr. Solarz: "And that there are still--and this is a somewhat different question--American servicemen being held against their will in Indochina?"

General Tighe: "My conviction would be 'yes' in answer to both questions, sir."

Mr. Solarz: "Now, have you testified to that effect previously, General?"

General Tighe: "I have not been asked the question in exactly that same way, Mr. Chairman, as far as personal convictions are concerned."