

LEE H. HAMILTON, INDIANA
 GUS YATRON, PENNSYLVANIA
 STEPHEN J. SOLARZ, NEW YORK
 DON BONKER, WASHINGTON
 GERRY E. STUDDS, MASSACHUSETTS
 DAN MICA, FLORIDA
 MICHAEL D. BARNES, MARYLAND
 HOWARD WOLPE, MICHIGAN
 GEO. W. CROCKETT, JR., MICHIGAN
 SAM GEJDESON, CONNECTICUT
 MERVYN M. DYMALLY, CALIFORNIA
 TOM LANTOS, CALIFORNIA
 PETER H. KOSTMAYER, PENNSYLVANIA
 ROBERT G. TORRICELLI, NEW JERSEY
 LAWRENCE J. SMITH, FLORIDA
 HOWARD L. BERMAN, CALIFORNIA
 HARRY REID, NEVADA
 MEL LEVINE, CALIFORNIA
 EDWARD F. FEIGHAN, OHIO
 TED WEISS, NEW YORK
 GARY L. ACKERMAN, NEW YORK
 BUDDY MACKAY, FLORIDA
 MORRIS K. UDALL, ARIZONA
 ROBERT GARCIA, NEW YORK

DANTE B. FASCELL, FLORIDA, CHAIRMAN
 WILLIAM S. BROOMFIELD, MICHIGAN
 BENJAMIN A. GILMAN, NEW YORK
 ROBERT J. LAGOMARSINO, CALIFORNIA
 JIM LEACH, IOWA
 TOBY ROTH, WISCONSIN
 OLYMPIA J. SNOWE, MAINE
 HENRY J. HYDE, ILLINOIS
 GERALD B.H. SOLOMON, NEW YORK
 DOUG BEREUTER, NEBRASKA
 MARK D. SILJANDER, MICHIGAN
 ED ZSCHAU, CALIFORNIA
 ROBERT K. DORNAN, CALIFORNIA
 CHRISTOPHER H. SMITH, NEW JERSEY
 CONNIE MACK, FLORIDA
 MICHAEL DEWINE, OHIO
 DAN BURTON, INDIANA
 JOHN MCCAIN, ARIZONA

Congress of the United States

Committee on Foreign Affairs

STAT

House of Representatives

Washington, DC 20515

JOHN J. BRADY, JR.
CHIEF OF STAFF

June 7, 1985

Mr. William J. Casey
 Director
 Central Intelligence Agency
 Washington, D.C. 20505

Dear Mr. Casey:

As Chairman of the Subcommittee on Asian and Pacific Affairs, which has jurisdiction over POW/MIA issues, I read with great interest the attached April 24, 1985 Wall Street Journal article.

I was particularly disturbed by the author's claims that "there is reason to believe that the CIA knows for a fact that Americans are still being held against their will", and that in a private letter shown to him, "a CIA expert on Laos says the U.S. government already has a list of 25 or so missing Americans who are living today in Laos". He states further that, according to the CIA official's letter, "Americans are now working for the enemy, fairly openly and married to local women with children in most cases". According to the article, this official's information was derived from former South Vietnamese military officers.

The information in the article fundamentally contradicts conclusions presented to me by the DIA and CIA in the many public hearings and private briefings I have attended. DIA officials have given me the impression that while many live sightings of Americans in Indochina have been reported, none have been confirmed.

In an effort to get to the bottom of this apparent contradiction, I have contacted the author, Mr. Bill Paul, and have asked him to turn his information over to the Subcommittee. Thus far, he has not been cooperative. I am considering the possibility of subpoenaing Mr. Paul to testify under oath before the Subcommittee and possibility citing him for contempt of Congress should he refuse to share his information.

Before I do so, I would appreciate your comments on the alleged list of Americans. Have you seen such a list? Do you know whether it exists? Do you have information that Americans are still being held in Southeast Asia? What would your opinion be if the Subcommittee subpoenaed Mr. Paul to testify? What would you think if, after being subpoenaed, Mr. Paul refused to divulge his source and the Foreign Affairs Committee voted to cite Mr. Paul for contempt of Congress?

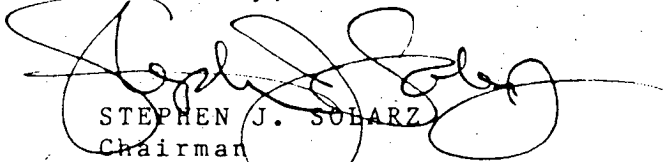
Mr. Paul has made a serious claim--one that merits our immediate attention. If his information is accurate, it means that there are



living Americans, some of whom may be held there against their will, still in Vietnam. Our obligation, as I see it, is to do everything we can to find out the truth--so we can determine how best to fulfill our responsibility to the men who fought for our country but who are still missing-in-action ten years after the end of the war in Indochina.

I would appreciate receiving your comments.

Sincerely,



STEPHEN J. SOLARZ
Chairman
Subcommittee on Asian and
Pacific Affairs

SJS:tc

THE WALL STREET JOURNAL WEDNESDAY, APRIL 24, 1985

POWs Won't Be Fo

By BILL PAUL

As soon as a White House reception last December for new Republican congressmen was thrown open to questions, California Rep. Robert Dornan leaped to his feet.

Mr. Dornan begged President Reagan to intensify government efforts to ascertain whether U.S. prisoners are still being held by Vietnam. Mr. Reagan responded, as Mr. Dornan recalls, that every time the U.S. pursues a lead on POWs, it turns out to be a dead end.

That is what the president has been told by his advisers—most recently at a briefing he was given by Defense Intelligence Agency officials just days after Rep. Dornan's outburst.

But critics of the government's efforts to investigate reports of POWs—notably Mr. Dornan's fellow conservative Republicans, North Carolina Rep. William Hendon and former New York Rep. John LeBoutillier—have repeatedly charged that the president is getting bad information and the U.S. effort to account for its nearly 2,500 men still missing in Southeast Asia is seriously flawed.

'Disclaiming Good Reports'

The critics appear to be right. There is reason to believe that the Central Intelligence Agency knows for a fact that Americans are still being held against their will. There also is reason to believe that military analysts have squandered some promising leads, leads that, if they had been properly pursued, might by now have proved the continued presence of U.S. POWs in Southeast Asia.

Gen. Eugene Tighe, who worked on the POW issue at DIA from 1974 until he retired, as director, in September 1981, says, "It may be time for an independently sponsored presidential commission to examine the U.S. POW effort."

Gen. Tighe, who has remained close to the issue, adds: "Some people [involved in the U.S.'s effort] have been disclaiming good reports [about remaining American captives] for so long that it's become habit-forming." Moreover, "I continue to run into civilians [in the U.S. government] associated with this issue who tend to think that military personnel are expendable."

A former intelligence analyst who recently retired after working daily on the POW issue for two years also gives a disturbing view of the U.S. effort to account for its missing. "There are a lot of pressures not to believe" that Americans are still held prisoner, he said in an interview. "If we recover one, it's a travesty because, for 12 years, we've completely and absolutely ignored these people."

A CIA expert on Laos says the U.S. government already has a list of 25 or so missing Americans who are living today in Laos. This man, who was intimately involved in the U.S.'s "secret war" in Laos, made the statement four months ago in a private letter shown to me.

The CIA official states in his letter that the Americans "are now working for the enemy, fairly openly, and married to local women with children in most cases." In

Some DIA analyses of n impeach the refugees rather t

describing one of them, the letter states that he "has some freedom but not much." Further, the letter states that this individual "apparently has no desire to return to the USA because of his 'probably' [being] forced to work for the enemy in order to stay alive this long."

The CIA official indicates that his information comes from "a few reliable" former South Vietnamese military officers who now conduct resistance activities against the Communists. The informers aren't paid for this information, he says.

Gen. James A. Williams, current head of the DIA, says he hasn't ever seen or heard of such a list. A CIA spokeswoman says there isn't such a CIA list, adding that the notion is "nonsense."

Those running the Reagan administration's effort to account for the missing think the program is making progress, despite a general lack of cooperation by the Vietnamese. In testimony before a House committee last August, Richard Armitage, assistant secretary of defense, said the Reagan administration has increased the intelligence resources devoted to resolving the POW question.

Many Americans don't believe that the Indochinese Communists still hold U.S. prisoners. Vietnam denies it has any U.S. captives. But in three wars, Communist nations have demonstrated a willingness to keep their prisoners after the shooting stops.

The Soviet Union finally released nearly 10,000 German prisoners in 1955, 10 years after the end of World War II, claiming they had been criminals, not prisoners. Thousands more German prisoners simply vanished.

U.S. Gen. Mark Clark, who commanded United Nations forces in Korea, wrote in his 1954 autobiography "From the Danube to the Yalu" that he had "solid evidence" that the Communists held on to hundreds of U.S. prisoners after the U.N.-Communist

ound Without Cost

prisoner exchanges. "How many more U.N. POWs," Gen. Clark wrote, "may we expect the Communists to yield, possibly seven or eight years from now? And how many may we never see again who will die in the wastes of Korea-Manchuria-Siberia?" (A few fliers were released by the Chinese soon thereafter, but many American prisoners in Korea apparently never did come home.)

In what is now an obscure footnote to

Refugee reports seem aimed to han lead to probes.

the Vietnam War, Hanoi nearly succeeded in holding on to nine U.S. prisoners in 1973. The men, captured in Laos, were released after Secretary of State Henry Kissinger reportedly wouldn't complete the previously negotiated U.S. troop withdrawal from Vietnam until several remaining prisoners in Laos were accounted for. Only after some from his list were freed, along with others the U.S. had listed simply as missing in action, did the U.S. learn that the nine had been moved to Vietnam a year earlier and held there apart from the other U.S. POWs who were released during 1973's "Operation Homecoming."

According to the Defense Department's POW-MIA Fact Book, evidence of Americans still being held against their will must be "convincing" before the U.S. acts. By convincing, the Fact Book explains, the evidence must be recent and specific, and it must come either from a refugee whose sighting report "can be strengthened and supported through technical means," or from two or more refugees whose reports match up.

But the former intelligence analyst says the Fact Book is misleading. He says that for evidence to be judged convincing by U.S. experts, it must be developed by the U.S.'s own technical means; i.e., aerial photographs from satellites or high-altitude aircraft. "Humint," the acronym for human intelligence, isn't enough, this analyst says, because the feeling within the U.S. intelligence community is that people can and do lie.

U.S. officials have testified before Congress that the vast majority of their POW information comes from human sources—refugees. If refugees' reports aren't enough, how then can the U.S. ever prove that POWs are still in Indochina?

Gen. Williams, the current head of the DIA, insists that humint can be enough to act upon. But the fact is that the only known time the U.S. made an armed incur-

sion to try to rescue men it thought were POWs—the so-called Nhom Marat mission in 1981—the intelligence that led to the foray came from aerial photographs.

Some DIA analyses of refugee reports seem aimed to impeach the refugees rather than lead to investigations.

For example, refugee Nguyen Thi Xuan told U.S. officials that in November 1977 she saw four Americans working in a field near Bien Hoa City, about 20 miles from Ho Chi Minh City, formerly Saigon. The DIA concluded that her report was "suspicious" because "the Communists would be unlikely to place four detained Americans in an open field next to a major highway while at the same time publicly denying that they hold Americans."

Gen. Tighe, the retired head of the DIA, says this analysis "shows a mind-set to debunk." (Gen. Tighe is chagrined that poor analyses were done while he headed the DIA. He says that, as director, he didn't review most individual reports.)

Might Be Alive

Another, more recent, account came last year from a Vietnamese doctor who gave the U.S. a list of names of Americans he said he treated in Vietnam who are still POWs. This report has been written off as a fabrication by U.S. officials who ascribed it to the man's self-serving motivations. But consider:

The DIA acknowledged that "it isn't precisely known" how the doctor got the Americans' names. The DIA suggested that he may have gotten them off a publicly available list of America's missing, but the analysis also stated that some on the doctor's list were servicemen believed to have died in action whose bodies weren't recovered. Thus, at least some names wouldn't have appeared on any MIA list, and those men in particular might still be alive.

If the continued presence of POWs in Southeast Asia were ever publicly accepted, it would provoke a foreign-policy dilemma. Americans would demand that Washington act, but what could the U.S. do? A military operation might get some prisoners out, but the rest might then be put to death, perhaps after show trials. Negotiations could easily dissolve into a kind of Iran hostage crisis, with Washington looking weak.

Yet while a military action seems self-defeating, entering into talks is a chance worth taking. Vietnam's economy is a shambles, offering the makings of a deal. Getting the men back would demonstrate a moral commitment few nations possess.

Mr. Paul is a reporter in the Journal's New York bureau.