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THE WHITE HOUSE  
WASHINGTON

February 9, 1971

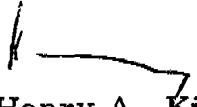
Dear Jerry:

It was good to see you on the 19th. I enjoyed the session immensely.

I have done some checking into the matters you raised in your letter of January 6th and can assure you that your concerns appear to be based on exaggerated reports.

Perhaps we will have an opportunity to chat about this on a future occasion.

Warm regards,

  
Henry A. Kissinger

Jerome A. Cohen  
Professor of Law  
Harvard University Law School  
Cambridge, Massachusetts 02138

NSS/NSC Review Completed.

MEMORANDUM

THE WHITE HOUSE

ACTION

WASHINGTON

~~SECRET/SENSITIVE/EYES ONLY~~

26 January 1971

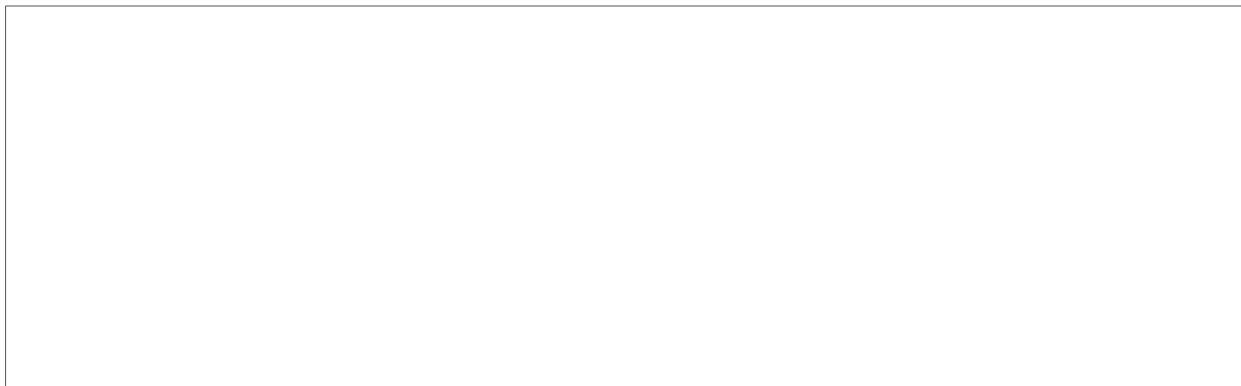
MEMORANDUM FOR DR. KISSINGER

FROM: FRANK CHAPIN *Fmc*

SUBJECT: Professor Jerome Cohen's Letter of Inquiry re  
U.S. Actions Against Communist China

Attached at Tab C is a letter dated January 6, 1971, from Jerry Cohen which he sent you as a follow-up to his meeting with you on December 21, 1970.

In his letter, Professor Cohen furnishes certain leads for you "to pursue to verify your assertion that the Nixon Administration was not interfering in mainland China's territorial jurisdiction," and infers that he expects a reply.



25X1

25X1

The Michael Morrow article of September 3rd in the Boston Globe, to which Mr. Cohen refers, contains certain essential truths and is reprinted and embellished in another article by Morrow appearing in this morning's Washington Post.

25X1

25X1

25X1

Morrow, you may recall, was one of three newsmen captured by the Viet Cong in Cambodia. Upon his release he wrote a series of uncritical articles which were good propaganda for the Viet Cong.

~~SECRET/SENSITIVE/EYES ONLY~~

SECRET/SENSITIVE/EYES ONLY

-2-

CIA has not assisted the GRC in any maritime or other hostile penetrations of Communist China since 1964 and was attempting to discourage such activity long before that.



25X1

Perhaps, since your dinner meeting with Mr. Cohen and others at the Harvard Faculty Club on January 19th, you can consider this matter overtaken by events and no response necessary.

On the other hand, if you deem it necessary to reply in writing to Professor Cohen, I recommend a noncommittal reply along the lines attached at Tab A leaving open the possibility of some future oral discussion with him on the subject. In the latter event, I will be happy to work with John Holdridge in pulling together some talking points for you.

RECOMMENDATIONS:

1. That you consider Professor Cohen's letter to be overtaken by events and therefore requiring no reply at this time.

APPROVE \_\_\_\_\_ DISAPPROVE \_\_\_\_\_ OTHER \_\_\_\_\_


2. That, in the alternative, you sign the letter at Tab A which acknowledges Professor Cohen's letter but does not respond specifically to each of the points he raises.

APPROVE HK \_\_\_\_\_ DISAPPROVE \_\_\_\_\_ OTHER \_\_\_\_\_

Attachments

Tab, A, B and C

Concur:

Herbert Levin 

SECRET/SENSITIVE/EYES ONLY

**Page Denied**

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

25227

January 21, 1971

DDI-1165-74

CONFIDENTIAL

MEMORANDUM FOR

Mr. Robert E. Hepworth  
Chief, DDI Executive Staff  
Central Intelligence Agency

SUBJECT: Questions on China Mainland Activity

During a recent meeting between Dr. Kissinger and a group of China scholars Professor Jerome Cohen queried him on U.S. activities with regard to the China mainland. At Dr. Kissinger's request, Professor Cohen has now written a letter mentioning some specific things (attached).

Will you please ask someone urgently to prepare a draft reply to the letter, in consultation with the State and Defense Departments, for Dr. Kissinger's signature.



Jeanne W. Davis  
Staff Secretary

Attachment

CONFIDENTIAL

25227  
Backup Jan '71

Law School of Harvard University

Cambridge, Mass. 02138

January 6, 1971

The Honorable Henry A. Kissinger  
Assistant to the President  
for National Security Affairs  
The White House  
Washington, D.C.

Dear Henry:

I promised you a lead or two to pursue to verify your assertion that the Nixon Administration was not interfering in mainland China's territorial jurisdiction.

I enclose a photocopy of the front page banner headline story on CIA penetration of Lao tribesman into China (Sept. 3, 1970). It also recounts our activity on the Sino-Burmese border as well as past activity in Tibet.

Also, you might wish to review the testimony of Ambassador McConaughy and his military associates before the Symington Subcommittee (Nov. 1969 and May 1970) concerning our support for GRC activities against mainland China. (Actually, the Justice Department might more appropriately review it.) You have access to the substantial deleted portions, but even what remains indicates that the U.S. itself is at least engaging in unmanned reconnaissance flights over China and that we are helping the GRC with maritime raids and other forms of hostile penetration. China, of course, has listed hundreds of American aerial and naval intrusions, many since January 1969. Are all of these fictitious? Past Chinese claims have often been verified by capture of pilots or wreckage of our planes. Indeed Peking's claim to have shot down a "drone" on October 29, 1969 first brought this activity to the attention of Congress, according to Jim Thomson.

I wonder what "the Agency" and the Pentagon will report on these activities.

Rec'd Sec T - 200020 JTW

-2-

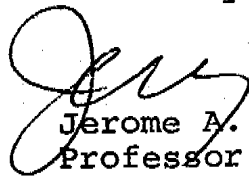
In any event we very much look forward to the dinner January 19 now scheduled for the Faculty Club. We hope you will open with some remarks on Vietnam, which will lead to a discussion. After an hour of that, we will reverse roles by having you interrogate us about China. We may present a brief scenario to open the China discussion and give you a concrete target.

I much enjoyed the December 21 meeting in your offices. We were more chaotic in our presentation than I would have liked, but your equanimity suggested that you have not forgotten what academics are like, especially when they do not agree. The Chinese call such sessions "fermentation" meetings and consider them useful at an early stage of "thought reform."

In wishing you a successful 1971 one does so with more sincerity than in most cases, if only from self-interest. Peking has long since replaced the traditional Chinese New Year's wish of "Hope you make money" with "Hope you make (ideological) progress" [Kung-hsi chin-pu]. As one who would like to see substantial changes in our China policy, perhaps the latter is not inappropriate.

I had a long talk with John Dean last night about his experiences with CORDS in I Corps. Reports of his pessimism relayed via the distaff side proved to be inaccurate, but if you want to see him he will be lunching at the White House Monday with two of your staff.

Sincerely,



Jerome A. Cohen  
Professor of Law

JAC:be  
enclosure

# The Boston Globe

**Their missions  
to tap Chinese  
telegraph lines,  
watch roads and  
other types of  
intelligence gath-  
ering. Teams  
have gone as far  
200 miles into  
China.**

## CIA Sending Laos Tribesmen into China on Spy Patrols

By Michael Morrow  
Copyright 1970, Dispatch News Service International  
HOUEI SAI, Laos — This sleepy Mekong River town is as close as a journalist with any regard for his safety can get to a secret CIA outpost which is the staging area for armed reconnaissance teams being sent by the United States into China.  
Sources close to the CIA

pinpoint the staging area at a small mountain valley airstrip called Nam-Lieu 15 minutes flying time north of Houei Sai.  
According to the same highly reliable sources, "there is always a team in China."  
The teams are armed with American small arms, a special 3-pound radio with a range of 400 miles,

and other special equipment.  
Their missions are to tap Chinese telegraph lines, watch roads and do other types of intelligence gathering. Teams have gone as far as 200 miles into China.  
Each team is said to consist of about 15 men, most of whom are Yao hill tribesmen. Yao are used because this tribe lives in large numbers along the

mountainous frontiers of Laos, Burma, Thailand and China.  
There are approximately 2,000,000 Yao living inside China, and some of the guerrillas have family connections there. Miao and Lao Theung tribesmen are also used for similar reasons.  
The teams are normally flown to a sod airstrip known as "Site 93" or

"Moung Moung" about 20 kilometers north of Nam-Lieu, near the Mekong River where it forms a border with Burma.  
Sometimes they are put down right on the banks of the Mekong by helicopters. They carry instantly inflatable rubber rafts to use crossing the Mekong into Burma. From Burma they continue northwest, enter-

ing China about fifty kilometers from Site 93.  
The teams from Nam-Lieu are gone three to four months, maintaining contact by radio with Nam-Lieu and with airplanes which fly close to the China border in order to pick up their broadcasts.  
On at least one occasion an airplane has been al-

most shot down for straying into China. During July 1968, an Air America "porter" single-engine plane with two aboard crossed the Chinese frontier near the borders of Burma, Laos and China. Parts of both wings were blown away by anti-aircraft fire but the plane was able to limp back to base.  
CIA CAMPS, Page 13



# CIA-Backed Laotians Said Entering China

By Michael Morrow

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VIENTIANE, Laos—United States intelligence operations include the sending of armed Laotian reconnaissance teams into China from northern Laos, sources here say. Teams are reported to have gone as far as 200 miles into China, dispatched from a secret CIA outpost 15 minutes' flying time north of the Laotian opium center at Houei Sai.

According to sources close to the Central Intelligence Agency, and confirmed by Western diplomatic sources in Vientiane, the CIA is sending out hill tribesmen armed with American weapons, a three-pound radio with a range of 400 miles and equipment to tap Chinese telegraph lines, watch roads and do other types of intelligence gathering.

"There is always a team in China," sources close to the CIA said.

Staging area for the operation is a small mountain valley airstrip called Nam Lieu (also known as Nam Yu). The strip, which one Air America pilot describes as "difficult as hell to get into," is surrounded by mountains. It is serviced by both Air America and Continental Air Service, and is also a way-station for opium traders from northern Laos and Burma en route to drug factories at Houei Sai.

During 1968, five Chinese functions aries caught up in the purges of the Cultural Revolution defected to a Nam Lieu reconnaissance team. They were treated well by the Americans for a time but eventually were turned over to the Royal Lao government.

According to sources close to the CIA, the five were thrown into a 12 by 12 by 12 foot pit exposed to the elements. They were eventually executed.

Like most CIA operations in Laos, the one out of Nam Lieu is directed from a headquarters at Udorn air base in northeastern Thailand. There are several Americans at Nam Lieu, including CIA and military intelligence personnel. Sources close to the CIA report the number has increased recently from four to more than 10.

In addition to activities inside China, the Nam Lieu Americans also help direct a joint operation of "SGU" (special guerrilla units) and the Thai army at Xieng Lom south of Houei Sai on the Lao-Thai border. They also run intelligence-gathering missions on a road being built by the Chinese government (under an agreement reached with the now-defunct coalition government of Laos) in the same vicinity.

Until mid-September of last year, the Nam Lieu operation was headed by a rough-and-tumble veteran guerrilla organizer named Anthony "Tony" Poe. Poe is a legendary figure

for orders and radio codes, capacity for Lao whiskey and expertise at clandestine guerrilla operations.

Poe was removed almost immediately after an article last September by Dispatch News Service International on the Nam Lieu operations, ostensibly because the article "blew his cover." According to sources close to the CIA, however, this reason was an excuse used by the American embassy here to get rid of Poe, whose style has been a source of long-term friction with members of the American mission in Laos including Ambassador McMurtrie Godley.

The September story was reportedly a major concern of CIA Director Richard Helms when he visited Laos in the fall. Helms was quite upset that there might be a leak within the CIA in Laos, sources close to the CIA report.

Whether by design or coincidence, Vince Shields, in charge of CIA operations at Long Cheng on the edge of the Plain of Jars north of Vientiane, and Patrick Devlin, station chief for the CIA in Vientiane, have both been transferred.

As for the mission into China, sources close to the CIA and Western diplomatic sources both report that to their knowledge the missions are continuing.

Since leaving Nam Lieu, Poe has spent most of his time at Udorn air base, although one source reported that Poe continued to do "odd jobs" on the Thai-Cambodian border. Those who know him say he is halfway away from Nam Lieu.

Poe is an ex-Marine noncommissioned officer, wounded at Iwo Jima, who remained in Asia after World War II. In the 1950s he helped organize CIA-trained Tibetan insurgents, escorting them to Colorado for training and going back with them into Tibet.

Later he worked in the Thai-Cambodian border area with the Khmer Serai, anti-Sihanouk guerrillas receiving assistance from the CIA, and other parts of Thailand. He has been in and out of Laos since before the Geneva Accords of 1962 and was one of the first Americans involved in arming and training paramilitary groups in Laos.

Poe is considered stubborn and brusque, sometimes going into fits of anger over the radio, his lifeline with the outside world. He is said to prefer working with hill tribes to working with Americans and looks down on most American operations because of their heavy reliance on American personnel.

He has been wounded at least once during his career in Laos, and reportedly a price has been put on his head by the Pathet Lao. He is perhaps the only American legally married in the hill

# LA sending Laos tribesmen on patrols into China

**CIA CAMPS**  
Continued from Page 1

Several of the teams inserted into China have been captured, and some have switched allegiances, turning to Nam Lieu as interespies.

There has been at least one occasion when a re-

turning team brought Chinese back with them. During 1968, five Chinese functionaries caught up in the purges of the Cultural Revolution defected to a Nam Lieu reconnaissance team.

They were brought back to Nam Lieu by the team. There they were well-

treated by the Americans for a time but eventually turned over to the Royal Laotian Government.

According to sources close to the CIA, the five were thrown into the Laotian equivalent of a "tiger's cage," a 12-by-12-by-12 foot pit exposed to the elements and without sanitation facilities, and eventually executed.

Like most CIA operations in Laos, the one at Nam Lieu is directed from a super secret headquarters at Udorn air base to Northeast Thailand.

There are four Americans at Nam Lieu, however, headed by a rough-and-tumble veteran guerrilla organizer named Anthony Poe. In addition to activities inside China, Poe and his team also work with hill tribesmen in the area, organizing, training, equipping and resupplying them.

There is also a joint operation between the "SGU" (special guerrilla units) and Thai Army, which they direct at Xieng Lom south of Houei Sai on the Lao-Thai border.

Tony Poe is a legendary

figure in Laos, known best for his dislike of journalists, disregard for orders and radio codes, capacity for Lao whiskey and expertise at clandestine guerrilla operations.

He is an ex-Marine non-commissioned officer, wounded in landing at Iwo Jima, who remained in Asia after World War II. In the fifties he helped organize CIA-aided Tibetan insurgents, escorted them to Colorado for training and finally went back with them into Tibet.

Later he worked in the Thai-Cambodian border area with the "Khmer Blue" anti-Sihanouk guerrillas receiving assistance from the CIA, and in other parts of Thailand with other guerrilla groups for a total of five years.

He has been in and out of Laos since before the Geneva accords of 1962, and was one of the first Americans involved in arming and training hill tribe paramilitary groups in Laos.

He refuses to have his picture taken, and once literally threw a journalist's camera away for taking

picture of him. He has refused to obey higher orders commanding him to commit his paramilitary guerrillas to large scale attacks away from their home area, and often disregards radio procedures. Those who know him say his drinking stems from the dangerous life he leads, particularly the flying he does through the treacherous mountains of northern Laos.

Poe is highly respected by some but hated by others involved in secret operations in Laos for his brusque and stubborn manner. He is said to prefer working with the hill tribes to working with Americans and looks down on most American operations because of their heavy reliance on American personnel.

Poe is said not to have been back to the US in fifteen years. He is perhaps the only American legally married to a woman of the hill tribes (though many keep mistresses) and has a home at Udorn Air base in Thailand.

There are reasons to believe Poe's operations at Nam Lieu are just the tip of an iceberg of US activities in China and Burma.  
**For example:**

— Sources close to the CIA report that the CIA is working with Shan insurgent groups in northern Burma. According to the

SECRET  
Working with Shan insur-  
gent groups in northern  
Burma. According to the  
same source, the Burmese  
government is getting as-  
sistance from the CIA  
mounting air strikes on in-  
surgent groups in the same  
area. This second operati-  
on is centered at Mandalay.

No Objection to Declassification in Part 2012/03/07 : LOC-HAK-11-6-14-7  
— Burmese border offi-  
cials at the Thai-Burm  
border northwest of hci  
claim there is permanent  
CIA "intelligence gath-  
ering activity" going on i  
Burma near the Chinese  
and Lao borders. "White  
Chinese" guerrillas (rem-  
nants of Chiang Kai-shek'  
army forced out of China  
by the Communists), num-  
bering 2000 men and  
armed with M1, M2 and  
M16 American rifles, are  
said by the Burmese to be  
active in the same area.  
(Chinese Communist  
troops are also reported by  
the Burmese to be in the  
area).

— Nung people original-  
ly from the mountains of  
the North Vietnamese and  
Chinese borders now living  
north of Saigon, near the  
provincial town of Xuan  
Loc in South Vietnam, re-  
port some of their men  
have been recruited at high  
salaries to work in guerri-  
lla bands on the North Viet-  
namese and Chinese fron-  
tiers.