tured in that country. We have held North Vietnam responsible for all Americans missing in action in Indo-China, but there has been no specific provision or accounting for men missing in Cambodia. That includes the journalists who form probably the single largest group of people missing in Cambodia. Some of them have only been missing for a number of months and only a minority I should say are American. A majority come from a wide variety of other countries, which have been just as unsuccessful as we have been in obtaining more information about their nationals.

POSSIBILITY OF USING PRESIDENTIAL OFFICE TO GET MEDIA'S ATTENTION

Senator Case. There was a suggestion—I don’t know whether it was in yours or your colleagues’ statement perhaps in both—that one of our problems is that the media does not give attention to the predilections on the other side. It is a curious thing, it seems to me, because we do have in this country a situation in which the President can dominate the media, and does it constantly. I wonder if you might not consider the possibility of using the Presidential Office in regard to this matter in ways similar to those in which it is used to dominate the news in other ways. It seems to me that this could be done. And I urge that both of you take this suggestion with utmost seriousness because I think I understand what you mean. After a certain length of time, a refusal by the Communists to live up to their agreements isn’t news anymore. These dilatory tactics have to be driven home, I think, at the highest level and I think it is not being done. You can even have Members of the Senate making a speech and, after the first time, it is not going to appear anywhere. And when we talk to ourselves it is a little frustrating. But, I do not know that the President’s remarks can be handled in that fashion or buried in that way. I understand fully that the DOD and members of our Armed Services are risking their lives in this effort, and they ought not to be permitted to do it without the world knowing about it. I think that is the suggestion that I would make if I had anything in mind.

Mrs. Dunn, do you want to say something?

Mr. Sieverts. Let me just say before Maureen Dunn comments that we appreciate that suggestion and we will accept it.

LOAD MUST BE TAKEN OFF FAMILIES’ SHOULDERS

Mrs. Dunn. Senator, it exactly reiterates what I said that we cannot—we have to have this load taken off our shoulders. We are not here to say, you know, this is what we want you to do.

Mr. Mills gave you some very good ideas, but after 6 years I want the State Department and the Defense Department and the Senate and the Congress to take the burden. And I was extremely distressed when during the Mideast crisis one of the Congressman, Congresswoman from the other side of the Hill, came out about the atrocities that the Israelis had suffered at the hands of the Syrians, it was brought before the U.N. floor; and never in 10 years have we ever had on the U.N. floor anything about American servicemen, never.

[Applause.]
And this Congresswoman, through search of my own, I have found out that never once on behalf of her constituents did they ever come to the floor, and I have looked back in all the records, and say that the atrocities which they have, the North Vietnamese have handed over to the Americans are terrible, the atrocities are horrendous, never once. Yet she came out and was on a full page, and one of your own Senators is on a pamphlet enforcing the release of the Vietnamese political prisoners in South Vietnam and yet he will not come out in behalf of us. What is wrong? It is right in the Senate and House, I am sorry, they have got to make a loud outcry.

Senator Case. I think it is everywhere.

Mrs. Dunn. Yes, sir, I think it is everywhere and the onus is right here and are the Americans first or what?

Senator Case. You are talking to us?

[Applause.]

President's Statement that All POW's Are Home Questioned

Just one other question, Mr. Chairman.

There has been a reference to statements by the President that all prisoners of war have been returned or are home. Your figures suggest that some 50 have not been. Don't you think we ought to tell the President, I am serious about this, let him know officially that that statement cannot be made.

Mrs. Dunn. Exactly.

[Applause.]

Mental Anguish of Problem

Senator Pell [presiding]. This obviously is an immensely emotional personal issue. I think those of us who try to put ourselves in the position of the wives and the parents of the missing in action find it almost impossible to understand the mental anguish that they undergo.

I have long been interested in this subject. I remember looking after British prisoners of war in 1940 as a Red Cross delegate, and trying to do something to alleviate their problems. I do not think the public realizes enough that actually from a mercenary viewpoint the widows of missing in action would be better off if they were not declared dead. But it is to settle the anguish in their hearts and their lives that they want the question resolved. Isn't it a fact that a widow would be better off financially if her husband were never declared dead? So I am pointing out that this is a very emotional problem where the interests are deep and very personal. Is that correct, Mr. Shields?

Dr. Shields. Senator Pell, the circumstances will vary from a purely financial standpoint depending upon the arrangements that that individual who is missing made to dispose of his income while he was gone. In some cases there are very significant benefits which would be paid upon termination of missing status: Insurance, social security, and a number of similar benefits. In some cases, I believe, one could argue the point that from the financial standpoint only a family member might be better off than to have that missing status remain open.
REASON FOR LACK OF VOICE ON ISSUE

Senator Pell. What has been the reason for the lack of positive force and shrillness, a word I like to use? Why have we, as a Government, not pushed on this issue as I think we should have? It has been used, I sometimes suspect, for domestic political reasons, but we have not seen it pushed in international circles or by the leadership of this country for the sake of the women and the dependents who are most involved. I speak as one who has spoken on the Senate floor and as a delegate to the United Nations on this subject and about the inhuman treatment. I was curious about the reason for this reservation. I remember even having an amendment to a bill saying there will be no aid extended to any party to the Vietnam accords if there is any violation, knocked out by administration pressure. One of the purposes of this amendment was to try to insure that this, among other accords, was followed, and the administration knocked that out.

What is the reason for the reservation of the administration about talking as vigorously as we do in this room on this subject?

Mr. Sieverts. Senator Pell, there is no reservation on this subject. We speak on the subject with full voice and all I can do is invite attention to the actions we have been carrying out, which Roger Shields and I have described. In the Four-Party Joint Military Team, for example, in which we negotiate directly with the other side, we have used tactics designed to catch their attention. When they killed one of our men, the head of our team took the flak jacket of the man who was killed, which was stained with blood and threw it on the table. I think it got a small line near the bottom of the story. It was not widely reported. It is not for lack of voice on the Senate and House floors—but there is a broader sense of perhaps time has gone by. I think this is what so concerns and frustrates the families, what we are hearing this morning, and it frustrates me, I must say, in the State Department.

There simply is not as much public interest in this now as there was, for example, a year and longer ago in the case of both the MIA's and the POW's. Interest has died down and we share the hope of the families that this hearing will turn that around.

LACK OF PUBLICITY ON ISSUE

Senator Pell. I say this with full respect for your work, Mr. Sieverts. I have followed it over the period of many years now and there is nobody who has done more to help move this question along or who, I believe, is more deeply concerned with the plight of these men and their families than you are.

But you know in the declaration of the President there is no condemnation of the North Vietnamese for their callousness in this regard. I don't ask you why he did not condemn them, but I do make the point that at the highest level of our Government the concern did not seem to be there as it should.

Dr. Shields. Senator Pell, may I add something to Mr. Sieverts' comment that might illustrate some of the problems we have.
Some time ago the Defense Department, in an effort to put some public light upon this issue and to further publicize these questions we have been talking about this morning, invited the officers and the board of the National League of Families over to the Defense Department.

One of the league members at that time is present here today. The Secretary of Defense escorted these officers of the National League of Families through his dining room, and surrounding the table in his dining room were 14 easels with very large displays with the names of 14 representative men of whom we know the other side has information.

These men were alive on the ground in some cases. The foreign news broadcasts, North Vietnamese broadcasts, press and so forth, had made statements about these men. The mother of one of those men is in this room here with us today also.

Present at that time was a very large number of journalists, and they toured these displays. Each display contained a photograph of the mansion on one side, a map of Southeast Asia on the other side, together with the pinpoint location and description of that man's loss. That coverage never saw the light of day. It was dead as soon as everyone left that room.

Senator Pell. That I deplore, but with a free, if erratic, press, you cannot direct them as you might like.

Dr. Shields. This is illustrative, though, Senator, of the problems we have in publicizing this issue and the families, I know, share this frustration.

Senator Pell. I am not sure we should direct the press, but I am sorry about their choices sometimes.

Presently Listed POW's

Aren't there still 50 men listed as POW's? How many are presently listed as POW's in our books?

Dr. Shields. Senator, we now have 57 men who are listed as prisoners of war as of January 19, 1974. I might add something to clarify the status of prisoners of war for these men. A number of these men have been listed as dead, having died in captivity, either by the North Vietnamese Government or the Provisional Revolutionary Government in Vietnam. We have not changed status with regard to these men based solely on this information because we felt the information we received concerning their death was fragmentary, unofficial and certainly not in accord with that evidence which is called for by the Geneva Convention relative to the treatment of prisoners of war. A number of those men on that list had been previously listed as dead by the other side.

Officially, on our side—in fact, we are negotiating constantly for the remains of those men—we have been told that we have seen the graves of a number of these men. We feel we should be able to return their remains very quickly.
GRAVES OF AMERICANS

Senator Pell. There is one thing that puzzles me a little bit. I remember going once to Saigon some years ago looking for the grave of a friend of mine whom I always thought was the first casualty of this war, Peter Dewey in 1945. I noticed in the graves the bones are all mingled together. Do they keep separate graves for Americans?

Dr. Shields. Senator, they did tell us that they keep separate graves for Americans. On the gravestones which we saw, we saw a Vietnamese name. A North Vietnamese official told us this was to prevent desecration of these graves by local inhabitants if they knew Americans were buried there. There are also the American initials of the men supposedly in those graves. We have been shown ceramic containers in which they say they have placed the remains of these men.

Senator Pell. I do not want to abuse my time as acting chairman. I have a few other questions, but I will defer to Senator Javits.

Senator Javits. I thank you very much. I am imminently demanded on the floor for the legal services bill, but I do have a few questions.

POSSIBILITY OF OBTAINING INFORMATION FROM CAMBODIAN GOVERNMENT

Gentlemen, I was very much interested in the mention of Cambodia. We are helping Cambodia very materially. Can't we get the information we need out of the government in Phnom Penh when their very lives depend on us?

Mr. Sieverts. There is no problem with the government side in Phnom Penh. However, the missing Americans and others missing in Cambodia are not in areas under the government's control. The usual phrase to describe the other side is the Khmer insurgents or Khmer Rouge. In fact it includes a large number of North Vietnamese. The Communist forces are the people who run this territory, who have the information or at least have potential of getting the information, and they are the ones who have failed to provide it.

Senator Javits. So that the forces we are helping don't help us at all in this regard.

Mr. Sieverts. I do not think they can help us to the extent—Senator Javits, I understand.

Mr. Sieverts. They have helped because they have tried to carry out missions, unsuccessful missions to go to areas where there are reports that there might be grave sites or people might be held, but they have not been successful.

INABILITY TO GET ADEQUATE PUBLIC NOTICE

Senator Javits. The other thing I would like to ask you is this: I think you made the point, and I won't duplicate it, about the inability apparently to get adequate public notice. But the quality of indignation, as is so evident this morning, is a very important quality. I will tell you now that in the executive session tomorrow I intend to lay it very strongly to Secretary Kissinger that we owe a debt to these
families to really express on the highest levels the utmost indignation of this country in this regard, and I thoroughly believe, as do my colleagues, that if the President and the Secretary of State and the Congress begin to speak it will get notice. It is news, especially if we are very indignant about it as we have every right to be. [Applause.]

Is there any reason to hold back?

Also, Mr. Sieverts, I won't press you on this. I do not think it is in your jurisdiction and I know you have knocked yourself out and I know you are in a very difficult position and it would be most unfair to add our pressures to those you already feel and already imposed on yourself. But wouldn't you agree with me that it is a very major issue for us to find out—and we will find out tomorrow with Secretary Kissinger—what else there is between us and North Vietnam that has not been performed? Is there anything more important than the MIA issue that makes us walk with cat's feet in this matter other than the lives of these men and the identification of what has happened to them.

Do you have any feeling on that? Is there anything else in these accords that remains to be done that would give us any reason to hold back on going flat out in terms of indignation and world protest in this matter?

Mr. Sieverts. No, Senator, nothing that I am aware of has inhibited us in the least. On the contrary, we feel we have an agreement and we want implementation of it. That is not to say there aren't other parts of the agreement that are not also being violated, but everything points in the same direction. What we want is compliance with the full measure of the Vietnam agreement which was negotiated for and sweated for and paid for, in a very major way by our country, as well as by the people of South Vietnam.

Suggestions of Families

Senator Javits. There are really three things which have been suggested to us on the part of the families. One was the world protest which we have just discussed. Another was the possibility of acting to force China and the Soviet Union to lend a hand in this matter. Now in that regard, of course, there is a whole range of critical questions which affect our country of which this issue is one, which in my judgment should be on a very high level. But unlike the situation you have just described respecting the agreements, there are also many other questions of great importance. I will ask the Secretary about these priorities tomorrow; he is probably the man to ask.

Desirability of Congressional Resolution

But the third point is that we ought to pass a resolution; that the Congress ought to speak to this subject in a coordinated way.

Senator Percy has an interesting resolution. Senator Tower has introduced an interesting resolution. My own assistant has suggested the possibility of a simple and straightforward resolution expressing
the outrage and protest of the Congress in this matter as a possible way to put the Congress on record on this issue in a worldwide sense. Now has your Department in any way reported on the desirability of such a resolution or would you be ready to tell us now? Mr. Sievers. We would welcome such a resolution.

Senator Javits. You will. Well, we shall give you one, I hope.

Mr. Sievers. Thank you. [Applause.]

Senator Javits. Thank you, Mr. Chairman, and I have to be excused.

Mrs. Dunn. Thank you, Senator.

QUESTIONS FOR EXECUTIVE SESSION

Mr. Mills. I am certainly happy that there will be the executive session. I pose these things and hope that they will be discussed thoroughly in the executive session.

I would like to know as far as international law what is the responsibility of the North Vietnamese for a man the United States had declared presumptively dead. Now that is a question for you to go into very carefully.

The other one, gentlemen, as our Government leaders, what do you see as the future of international agreements? We haven't seen that they have amounted to much in the Geneva Conventions relating to our POW's that were released and also to this situation here.

I then have the other statement, the administration might propose such things as liberalized trade agreements with Russia or reconstructive aid to North Vietnam. Our congressional leaders, however, hold the purse strings and you would have to agree to this and I would certainly hope that you would see our position here and when something is talked about liberalized treatment, liberalized trade agreements with Russia and the reason for rejecting it, that we could have our cause as one of the very plausible reasons for rejecting liberalized trade agreements. Thank you.

NORTH VIETNAMESE RESPONSIBILITY TOWARD MAN DECLARED PRESumptively DEAD

Senator Pell. Thank you. I have not finished my questions, but I will pass on one of yours right now. Maybe Mr. Shields can give us the legal answer as to the responsibility of a government toward a person—how did you phrase it—who was a prisoner of war in our books but whom they say is missing in action.

Mrs. Dunn. No.

Mr. Mills. As far as international law, what is the responsibility of the North Vietnamese for a man who has been declared presumptively dead by our own Government?

Senator Pell. Yes, Mr. Shields, or whichever one of you.

Dr. Shields. Senator Pell, we have examined that question. I know that Mr. Mills is very concerned about that. A number of families are. They are concerned if a man is declared dead presumptively by the Service Secretary, the North Vietnamese or the Pathet Lao, or whom-
ever it might be, would not be responsible legally to account for that man.

Our legal experts within the Defense Department, and I believe we have concurrence with the State Department legal experts, also, tell us that this status change is a matter which is purely internal to our Government. It has no bearing whatever upon the responsibility of the parties to the Vietnam cease-fire agreement. We have passed to the other side in the Four-Party Joint Military Team forum, the names of all of our men who are missing or prisoners who did not return, and, in addition, the names of over 1,000 men that we carry as killed in action but whose remains were never recovered. These men are the object of our concern and legally the other side is bound by their agreement to help us find remains wherever they might be and help us to exhume those remains and provide whatever information they can concerning those who are missing regardless of how we carry them internally.

Senator Pell. I am not sure I understand the reply, but maybe you and Mr. Mills could discuss it afterward.

Dr. Shields. There are legal questions.

Senator Pell. There are better legal minds than mine.

Dr. Shields. Our status determinations have nothing to do with the North Vietnamese legal obligation.

INCENTIVE FOR NORTH VIETNAMESE BEHAVIOR

Senator Pell. Mr. Sieverts, what is the incentive for the North Vietnamese not to be 100 percent cooperative in this matter? I cannot understand it because what they are doing is enraging and outraging public opinion in our country and further postponing the possibility of economic assistance. What is in it for them in behaving in what is an outrageous way?

Mr. Sieverts. We cannot either, Mr. Chairman. I wish we knew the answer to the question, what is the key that would unlock the door. After all, what we are asking is very little. The information in each case is of importance to one family only. It has no other purpose. It was wrong to use POW hostages for bargaining, but at least one could see what was at stake. It is hard to see why the authorities on the other side are withholding this information which in some cases, as has been indicated, we know they have.

I wish I knew the answer to that question.

Senator Pell. But is there no informal feeling you have? Are they trying to hold out for something more? Do they want an exchange, a quid pro quo here? Is it pure callousness? They must know that this outrages many people.

Mr. Sieverts. Well, I hope they know that. We have tried to make them aware of it, but it hasn't budged them thus far, and we are just going to have to continue pushing with the help of meetings like this, and with the support of the families. I do recall that families, through their efforts, through their travels and through their communications, did have an impact on the North Vietnamese authorities. As I watched last night on television and saw the demonstration at the White House—I used the wrong word—the vigil at the White House, I felt
in spirit that I was there too, because I feel the same way in wanting to have this information. But I wish there were some way to have those camper vans circle the Defense Ministry or the Foreign Ministry in Hanoi, rather than here at the White House, because they have the information.

[Applause.]

**ALLEGATION THAT GENEVA ACCORDS DID NOT APPLY**

Senator Pell. As I have never said publicly, but, as you know, Mr. Sieverts, I had the opportunity on September 23, and also on November 15, 1970, to make special trips to Paris to talk to Xuan Thuy and Mai Van Bo on this subject seeking to bring about compliance with the Geneva accords. The argument always revolved around the allegation that the Geneva accords did not apply. I was wondering if this is still the hangup on it or is there more of a willingness on the part of the North Vietnamese to consider these people as having been the victims of a bona fide war.

Mr. Sieverts. They have not reasserted that claim to which you referred that the POW’s were not POW’s within the sense of international law. They have not reasserted that charge in connection with this issue, to my knowledge. So I think we can proceed on the assumption that is not the problem.

Senator Pell. That is not the hangup.

**U.S. CONTRIBUTION TO ICRC**

The International Committee for the Red Cross, if the North Vietnamese had lived up to the Geneva conventions, would have precluded many of these problems. I do not think they have received the credit they should for the work that they have tried to do. They have tried to get into North Vietnam and been rebuffed. If we do work out an agreement in the end, it may well be up to the International Committee of the Red Cross to be sure it was being carried out.

I was curious why it is that with an organization that has done so much to help American men, help victims of war all over the world, particularly recently, as an example in the Near East, we have in the past given them a paltry $50,000 a year which has pretty well limited the contribution of any other country to this excellent organization. Second, what is the position of the Department on my own bill suggesting that our contribution be raised to $500,000 a year, which is still not enough to bring the budget in line with our huge expenditures for other things?

Mr. Sieverts. On that subject, Mr. Chairman, we, too, are well aware of the efforts by the ICRC, which have been of great importance. We know how much the ICRC regrets its inability to break through in North Vietnam, but they are still trying.

The $50,000 contribution is limited by an authorization passed by the Congress in 1965. The State Department supports the legislation you have introduced to raise that to an annual level of $500,000 a year.

Senator Pell. Is that with the Bureau of the Budget concurrence?

Mr. Sieverts. Yes, it is.
Senator Pell. It is a government position.
Mr. Sieverts. It is an administration position.
Senator Pell. I am delighted to hear that.

**DOD POSITION ON WORLDWIDE PUBLIC AWARENESS CAMPAIGN**

Mr. Albright. Earlier, sir, Mr. Church asked if the State Department would endorse a worldwide public awareness campaign. Could we have the same question directed at the Defense Department and see if they would like to have the same thing?

Senator Pell. Certainly. What would be the reaction, Mr. Shields, to that question, whether it would be a good idea to try to conduct a worldwide MIA campaign?

Dr. Shields. We are certainly in favor of publicizing this issue, and on an international basis. We think that is fine.

Mr. Albright. May we ask if it is a retraction of an earlier position? "It would be best at this time for you not to express your appreciation through public meetings whose ultimate aim is to gain further exposure of the MIA situation."

This was a policy letter from DOD to one of the returnees, that was June 15.

Dr. Shields. I am not aware of that letter. A number of our returnees have written books on this issue and I understand some of these books will have international sales. We have had a number of our returnees speak before the groups, we believe, in the various States interested in this area and before other civic groups. We feel we have done our part to help publicize this issue, and we must say that there are caveats upon the things that we can do. For example, some of these events have had political overtones. There are restrictions against military uniformed officers appearing in support of activity which could have overt political overtones, but we certainly would support, where appropriate, efforts to publicize this issue around the world.

**PERCENTAGE OF MIA'S STILL ALIVE**

Senator Pell. Maybe you would prefer not to reply to this question, Mr. Sieverts, but you know more on this subject and are more emotionally involved in it than any other man in the Government. Would you care to give an estimate of what percentage of people, in your view, might still be alive among the MIA's? Would it be less than 10 percent or would you rather—

Mr. Sieverts. I would rather not try to answer that, Senator. It is the very essence of the question.

Senator Pell. Right.

Mr. Sieverts. We want to know. It does not matter whether it is 1, 10, 100, or 0, we just want to know. So I would rather not speculate on the figures.

**AWARENESS OF MANY OF WHOM THERE WILL BE NO RECORD**

Senator Pell. I understand and respect your thoughts in this regard. But is there an awareness, too, that there will be many people who will have disappeared, of whom there will be no record whatsoever?
Mr. Sieverts. I think all of us are well aware of that. I am sure all
of the families here are well aware of it. Each family, however, hopes
or feels that maybe theirs is the exception. But in general, we know we
are not going to find out about all these people. But we also know
that we haven't had an accounting for any of these people, so until
we start, it is hard to say that it is going to be so many or so many
more. We want to get started. We want some information before we
decide what we are going to be satisfied with.

**PROJECTED TRIP OF MIA ORGANIZATIONS TO HANOI**

Senator Pell. What would be the administration's viewpoint with
regard to a projected trip of MIA organizations to go to Hanoi to
make their own pitch there? [Applause.]

Mr. Sieverts. I don't think we have a specific position on that kind
of question. We certainly have seen the families conduct themselves
with great poise under hard circumstances in other countries, such
as Laos, for example, and in various countries in Europe, including
Eastern Europe and Communist countries; so I have no doubt if they
could get into North Vietnam that the families would conduct them­
selves in a way that would be effective and proper under the
circumstances.

I think the real question is whether they can get in because there
has been no indication that I am aware of that this is going to be
allowed by the North Vietnamese.

Senator Pell. I would agree. I think the initiative here must remain
in private hands, and would be with them.

**STATEMENT OF NATIONAL COMMANDER OF AMERICAN LEGION**

I would, before closing, want to insert in the record a statement by
the National Commander of the American Legion. Without objec­
tion that will be inserted in full in the record. [See appendix.]

**CONTINUED PUBLIC STATEMENTS RECOMMENDED**

I would also agree with the earlier thoughts that one of the things
we should do is to continue to say on the Senate and House floor and
the executive branch to make public statements and the more that you
encourage these statements to be made, speaking to the representa­
tives of the MIA, I think the better off your cause is.

**COMMENDATION OF WITNESSES**

I thank you for the frankness and forthcomings of the testi­
mony of the executive branch, particularly Mr. Sieverts, and the tre­
mendous restraint in a heartbreaking situation of the representa­
tives of the families of the MIA and the POW's.

**STATUS CHANGES**

Mr. Albright. Sir, I have one question which was passed up from
the family members and I think I should ask it, the question is to
the representatives of the Department of Defense; If the present
restraining order is lifted, how soon will it be before status changes are again made?

Senator PELL. What do you mean by restraining order?

Mr. ALBRIGHT. There is a court restraining order preventing them from making status changes. It is a court action in New York.

Senator PELL. I see.

Can you answer that?

Dr. SHIELDS. I can only say that if the law is declared to be constitutional, and its constitutionality is being tested now, the Service Secretaries will continue to implement their responsibilities under the law. Each case is reviewed on an individual basis; so I think it is impossible to give any definitive answer to that question at all.

Senator PELL. All right. Thank you very much, indeed. This concludes this hearing which is adjourned subject to the call of the Chair.

[Whereupon, at 1:15 p.m., the committee adjourned subject to the call of the Chair.]
APPENDIX

Responses to Additional Questions for the Record

RESPONSES OF MR. SIEVERTS, DEPARTMENT OF STATE, TO ADDITIONAL QUESTIONS OF SENATOR CASE

Question 1. The Paris Peace Agreements provided that the North Vietnamese accepted the responsibility for the release and accounting of all American prisoners of war and missing in action throughout Southeast Asia. As it was evident that North Vietnam and her allies had refused to produce an accurate or official list of American prisoners previous to the Peace Treaty, on what grounds did you base your conclusion that North Vietnam would responsibly account for and release all American prisoners?

Answer. The Administration did not conclude that "North Viet-Nam would responsibly account for the release of all American prisoners." Before, during and after the peace negotiations, we made clear to North Viet-Nam the importance we attached to this question, and they were well aware that their actions in the release of prisoners would be closely monitored. The most important source of information on this subject was the returning POW's themselves, all of whom were carefully debriefed for information on fellow prisoners, and on the missing and dead. There has been no indication from any of these debriefings that any Americans continue to be held by the Communist authorities.

Question 2. In view of the fact that it has been over a year since the signing of the Paris Agreement and North Vietnam has failed to account in any manner for men who were known to be prisoners, are we now in the position of leaving the responsibility for the accounting of our prisoners to the goodwill of North Vietnam?

Answer. The U.S. Government continues to use all available means to press North Viet-Nam for information on our men still unaccounted for. There is no indication that any Americans continue to be held in North Viet-Nam.

Question 3. In a diplomatic note to the North Vietnamese on October 26, 1973, outlining their violation of the treaty, why wasn't there a mention of Article 8(A), or Article 8(B) (which provides for the accounting for POWs and MIAs)?

Answer. The accounting for the missing and dead required by Article 8B of the Viet-Nam Agreement was the subject of a separate diplomatic note to North Viet-Nam on July 29, 1973, the text of which follows.

TEXT OF U.S. NOTE CONCERNING MISSING IN ACTION DELIVERED TO THE DEMOCRATIC REPUBLIC OF VIET-NAM JULY 29, 1973

In view of the fact that more than six months have elapsed since the signing of the January 27, 1973 Agreement on Viet-Nam and more than six weeks since the signing of the Joint Communiqué of June 13, 1973, the U.S. Government notes with serious concern that the Democratic Republic of Viet-Nam has failed to comply with Article 8B of the Agreement and paragraph 8E of the Joint Communiqué which require the parties to "Help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action." Although there have been continuing discussions of these subjects in the FPJMT, the Democratic Republic of Viet-Nam has refused to cooperate in the necessary actions to implement this basic humanitarian obligation.

(99)
The United States Government has provided complete lists of American personnel listed as missing in action with requests for information. No information has been provided. The United States Government has repeatedly sought to arrange the repatriation of remains of Americans who died in captivity. No remains have been repatriated.

The accounting for the missing and the repatriation of remains are purely humanitarian obligations unrelated to other issues. They could have been largely carried out by now if a spirit of good will and cooperation had been manifested on this subject. This would have brought solace to the families and loved ones of the more than 1,300 Americans listed as missing, and of those who have died, but whose bodies have not been returned.

The United States Government calls, again on the Democratic Republic of Viet-Nam to help get information on the military personnel and foreign civilians of the parties missing in action. This can be accomplished promptly by responding to the request for information on the lists that have already been provided. The United States Government would be pleased to provide additional data on specific cases to assist in getting such information. The United States Government also requests the Democratic Republic of Viet-Nam promptly to accomplish the exhumation and repatriation of remains, and to enable the JRC to carry out its humanitarian mission.

Question 4. Has the President been advised that our Government still lists over 50 men as POW's (including a man who has written home and some who were photographed in captivity), in light of his continuing public statements that, "All POW's are Home"?

Answer. The President is well aware of North Viet-Nam's failure to account for our men. In his State of the Union message the President said: "We will continue to insist on full compliance with the terms of the agreements reached in Paris, including a full accounting of all of our men missing in Southeast Asia."

Question 5. Is it true that the Government considers the lack of new information to be in itself new information. Is this the basis on which even men listed as POW have had their status changed to KIA?

Answer. The subject of status changes is the responsibility of the military services and was covered in testimony by the Defense Department witness.

Responses of Dr. Shields, Department of Defense, to Additional Questions of Senator Pearson

Question 1. In testimony submitted to the Foreign Relations Committee, the President of the Forgotten Americans Committee of Kansas proposed that Secretary Kissinger undertake a personal mission to Southeast Asia, China and the Soviet Union in order to secure the release of any Americans who are held captive and an accounting of men missing in action. Do you believe that this proposal would produce positive results?

Answer. On previous trips to North Vietnam, China and the Soviet Union, as well as in his meetings with North Vietnamese leaders in Paris, Secretary Kissinger has repeatedly raised the question of our men remaining unaccounted for in Southeast Asia. He expressed the concern of our Government and of the families of these men for obtaining all possible information about them. I feel certain that Secretary Kissinger will continue all appropriate diplomatic actions on this important issue.

Question 2. I understand from discussions with families of men Missing in Action that the Department of Defense has attempted to discourage recent efforts to increase national awareness about the continued refusal of the Communist forces of Southeast Asia to account for MIA's. For example, families say that returned POW's have been advised that they should refrain from public participation in efforts to increase public awareness. Will the Department of Defense support the efforts of families to increase public awareness of the 1,800 men who have not returned from Southeast Asia?

Answer. The Defense Department has welcomed efforts of private citizens and organizations which were aimed at focusing attention on the refusal of the communist forces in Southeast Asia to provide all information in their possession about Americans who remain unaccounted for in Southeast Asia. Such efforts serve to convey to the other side the mounting concern of the American
public on this issue. To my knowledge no general guidance to return POW’s has been issued by the Department of Defense asking them to refrain from public participation in efforts to increase public awareness. I was present at a meeting of the Board of Directors of the National League of Families of Prisoners and Missing in Southeast Asia on October 27, 1973, which included a presentation by a returnee. He was asked specifically if he had been directed not to participate in private or family efforts related to the POW/MIA issue. He replied that he had not and did not know of any such blanket directions having been given to our returnees.

The Defense Department, and the Military Services, as in the past, will continue to provide all appropriate assistance to POW/MIA families.

RESPONSES OF MR. SIEVERTS, DEPARTMENT OF STATE, TO ADDITIONAL QUESTIONS OF SENATOR PERCY.

Question 1. What was our last contact with the North Vietnamese on the MIA question?

Answer. The subject is addressed in virtually every session of the Four Party Joint Military Team (FPJMT), which meets twice a week in Saigon. The most recent meeting took place January 24.

Question 2. What was our last bilateral contact with the North Vietnamese on this question?


Question 3. In view of the animosity between the Vietnamese parties in the Four Power Joint Military Team, would it not be desirable to seek private meetings with the North Vietnamese on the MIA question?

Answer. Such meetings have taken place, but have not been effective.

Question 4. What further recourse do you believe we have in seeking the cooperation of the North Vietnamese?

Answer. We share the hope that public pressure may yet induce the Communist side to comply with the MIA and recovery of remains provisions of the Viet-Nam Agreement.

Question 5. What efforts have we made to contact the leaders of the Cambodian insurgents regarding the missing in that country?

Answer. We have supported efforts by journalists and private organizations to seek information about the missing in Cambodia. There have been no U.S. official contacts with the Khmer insurgents.

Question 6. Do you think that S. Con. Res. 69, introduced a week ago and cosponsored by a number of my colleagues on this Committee, including Senators Javits, McGovern, Muskie and Pell, can be useful in letting Hanoi and its allies in Indochina know that members of this Committee are deeply dissatisfied with their flagrant disregard of the terms of the ceasefire agreement regarding the missing men and related matters?

Answer. Yes.

Question 7. Do you believe that the United States should agree to discuss the implementation of all aspects of the Accords as a trade off for North Vietnamese willingness to provide whatever additional information they have regarding the missing?

Answer. The U.S. favors implementation of all provisions of the Viet-Nam Agreement, including those relating to MIA’s and return of remains. There have been numerous violations of the Agreement by the Communist side, and there is no reason to think that information on our MIA’s could be “traded” for other North Vietnamese objectives in the South, nor do we believe such an attempt should be made. The FPJMT was established for the sole purpose of implementing the MIA—return of remains section of the Viet-Nam Agreement, which we are continuing to work to implement.

RESPONSE OF DR. SHIELDS, DEPARTMENT OF DEFENSE, TO ADDITIONAL QUESTIONS OF SENATOR PERCY.

Question. We have been told that Lieutenant General “Chappie” James has taken the position that organizations such as the National League of Families
and VIVA have done important work in the past, but that we have now moved to a stage in which the POW/MIA question should be left to the government. Is this in fact General James' point of view? Is it the DOD point of view? Is it your point of view?

Answer. I have been informed that General James has never stated that POW/MIA organizations have no further use; nor has he, in any fashion attempted to belittle or quell public awareness. This is not his point of view, is not the DOD point of view, nor is it mine.

Statements

[From the Congressional Record, Jan. 24, 1974]

STATEMENT BY SENATOR J. W. Fulbright

As we approach the first anniversary of the signing of the Vietnam ceasefire agreements it is appropriate to review the status of their implementation.

It was clear from the outset that the Paris agreements would not resolve the basic points at issue between North and South Vietnam. The agreements were quite specific, however, with regard to those matters which were of most direct concern to the majority of the American people: We promised to withdraw our forces from South Vietnam and the Democratic Republic of Vietnam and the Provisional Revolutionary Government promised to return our prisoners of war, to facilitate an accounting for those missing and to repatriate the remains of those who had died in areas under their control.

As we all know, the U.S. forces were withdrawn on schedule and the North Vietnamese returned nearly 600 American military and civilian prisoners. Since then, unfortunately, the North Vietnamese and their allies in the south have refused to cooperate with our efforts to account for some 1,300 Americans still missing, to explain the more than fifty discrepancies in their earlier accounting, or to permit the recovery of the remains of any of our known dead from North Vietnam.

It has been said with increasing frequency in recent months that the United States has tried by all the means available to it to secure an accounting for our missing. Quite understandably, the families of these men do not accept this. At its hearing on the MIA question on January 28 the Committee on Foreign Relations expects to receive the views of a number of family members regarding what has been done and what more could be done. There obviously are no easy answers to these questions but I believe that we owe it to the missing men and their families to explore every possibility.

Hanoi's commitment to cooperate under Article 8(b) of the ceasefire agreement appears unambiguous and unconditional. Those who have followed the discussion concerning our MIA's which have taken place in the Four Party Joint Military Team meetings in Saigon are aware, however, that the representatives of Hanoi and the Provisional Revolutionary Government have consistently responded to U.S. demands for an accounting with charges that the United States and South Vietnam have failed to implement fully their obligations under the Paris agreement. Given the ambiguities of the Accords themselves and the confusing military and political situation in South Vietnam, it is difficult to assess the validity of their arguments. There can be no doubt, however, about the failure of the North Vietnamese to live up to their obligations as regards an accounting for the missing.

It may be that the only way the United States could break the deadlock in the Four Party Joint Military Team talks about accounting would be by agreeing to discuss Hanoi's concerns about the overall implementation of the ceasefire agreement. This appears to be the message which Hanoi is seeking to convey. The pitfalls in such an approach are obvious but in the apparent absence of military or other political leverage on the North Vietnamese, it is a possibility which should be considered.

I, for one, have little enthusiasm for a course of action which would require a continued American involvement in the internal affairs of the Vietnamese, notwithstanding my disapproval of certain actions of the Thieu regime since the Accords were signed. Having said this, however, I would also want the leaders in Hanoi to understand that they would be making a serious mistake if they
were to believe that those who hold such views have any sympathy whatsoever for their apparent efforts to make American families the pawns of their political ambitions.

One of the consistent concerns of those who have opposed the war in Vietnam has been that the basic requirements of humanity and morality not be lost sight of in the quest for military and political advantage. The behavior to date of the North Vietnamese regarding our missing in action clearly does violence to this principle. The North Vietnamese are in an indefensible position in refusing to facilitate the accounting which we desire. Hanoi should recognize that the humanity of this attitude only serves to lower its standing in the eyes of the rest of the world.

In my view, the leaders in Hanoi are mistaken if they believe they can bargain cooperation in accounting for the MIA's for American pressure on the Thieu government. For one thing few Americans are able to see any legitimate connection between what is essentially a Vietnamese political matter and Hanoi's pre-existing contractual and humanitarian obligation to facilitate the accounting for the missing in action. Hanoi's present intransigence may even be self-defeating for it could serve to strengthen the argument for a continuing American involvement in Vietnam. Finally, it should be apparent by now that President Thieu is not susceptible to American pressure on issues which he considers crucial to the survival of his regime.

The cooperation which we are asking of the North Vietnamese would involve no political or military concessions on their part. Their agreement to cooperate in this unfinished business would indeed be recognized through the world as a mark of humanity and good faith.

Over the last few years I have written to the leaders in Hanoi several times urging their cooperation in matters having to do with American prisoners of war and missing in action. The most recent of these was a letter which I addressed to Premier Pham Van Dong in June, 1978. That request concerned a missing American pilot who, according to North Vietnamese broadcasts, was captured in November, 1967, but who was neither returned following the ceasefire nor subsequently accounted for in any other manner. To date I have had no response to that letter.

Today I would like to suggest a number of practical steps which I, as a Member of the Senate concerned about our missing servicemen, would urge on Hanoi. These are:

1. The North Vietnamese surely must have at their disposition information regarding the few individuals who are known or can be presumed to have been taken prisoner in North Vietnam but who were neither returned nor reported as having died. The United States has provided Hanoi with all of the information we have on such cases. It should be a simple matter for the North Vietnamese to check their information against ours and provide a response.

2. The repatriation of the remains of those already identified by Hanoi as having died in North Vietnam should also be a simple matter for Hanoi to arrange. What possible advantage can Hanoi find in holding the dead as hostages?

3. The North Vietnamese reluctance to allow access by U.S. military search teams to its territory is perhaps understandable. But if they do not like the proposed composition and procedures of such teams they should propose an alternate approach which would be acceptable to them. In many instances precise crash sites have already been identified and these could easily be visited by neutral investigators.

While on this point I must also express my dismay over the attack on December 15, on a clearly marked, unarmed American helicopter engaged in a search mission in South Vietnam. Despite the fact that the North Vietnamese and Provisional Revolutionary Government authorities had been advised in advance of this flight, the helicopter was attacked and two persons, including one American, were killed. Incidents such as this must not be repeated.

4. Whatever the complexities of the North Vietnamese role in Laos, they certainly are in position to urge the Lao Patriotic Front to provide whatever information it has regarding any of the more than 300 Americans missing in that country. As a first step Hanoi might recommend the release of Emmett Kay, the one American who is definitely known to be alive and a prisoner today in Laos.
None of the actions which I have suggested should be difficult or awkward for the North Vietnamese. If they were taken, a significant number of cases could be resolved although, unfortunately, hundreds of our missing will doubtless remain forever unaccounted for. Still the families of these men would have the comfort—as scant as it may be—of knowing that at least the minimum reasonable steps had been taken. In the absence of even the simple cooperative efforts which I have suggested, hundreds of families seem doomed to a future of flickering hope and cruel uncertainty.

Finally, in closing I would add a word about Cambodia. We know very little about the possible missing American servicemen and civilians in that country. We do know that some of those prisoners who have been returned were held in Cambodia at one time or another. There are continuing reports that other persons, including missing American, European and Asian journalists, may still be alive in captivity there. It would be enormously gratifying if the parties who may be holding such prisoners or who have information regarding the fate of others, could account for any such individuals.

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**STATEMENT OF HON. JAMES B. PEARSON, U.S. SENATOR FROM KANSAS**

Mr. Chairman, this Committee, the Congress and our nation have a solemn commitment to the 1,500 men who are missing in Southeast Asia more than a year after the cease-fire. We have a commitment to do all that is humanly possible to account for each of those men. We have a commitment to end the uncertainty of their families and friends. They ask no more and we can give no less.

I have been proud of the families from Kansas who have waited these long years with great dignity and forbearance for the return of their men. They have asked only that our government do all in its power to secure the release of any man who may still be captive and to learn the fate of those who are missing.

As a member of this Committee and a member of the Senate, I shall continue to support their families efforts and to urge the government to meet its solemn commitment.

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**"A YEAR AND A DAY REVIEW"**

**STATEMENT OF MRS. ANN HOWES SISTER-IN-LAW, MIA PRESIDENT, FACK**

Mr. Chairman and Members of the Committee. We are grateful that these hearings have been convened, for the assistance of Senator Pearson of Kansas, and for the opportunity to testify. The Forgotten Americans Committee of Kansas, Inc. originated the request for these hearings in November of 1973 because the time limits have expired on both the Paris Agreement for Vietnam and the Laotian Cease-fire. Yet military, civilian, and journalist Prisoners of War are still not home; none of the Missing in Action have been accounted for by the enemy; and 55 military and 7 civilians who are acknowledged to be buried in Communist soil are still there. Most importantly, we still don't have the safe right of entry for the Joint Casualty Resolution Center to determine the fate of these still-missing Americans.

Never in history has the release of Prisoners of War and the accounting of the Missing in Action carried so much support in any country. Never has a peace agreement carried such binding provisions for the physical accounting of missing men. Our country has set such a precedent in the issue that Pakistani POW-MIA family members came to our government for assistance in getting their loved ones released. The Israeli government copied the American stand in the Paris Agreement and put the release of POWs in first priority.

With the world watching, we must be acutely aware that other governments realize all of our POWs were not released, that we have not accounted for our missing, and that our precedent must be completed before it can hope to be a blueprint so that "valuable" POWs won't be hidden among the nameless and faceless Missing in the next conflicts. The world is watching to see if the most idealistic country in the world thinks enough of its "liberty and justice for all" to push the Communists into doing what they have never done before.

The words are all there on paper—all we have to do is make them mean something. In Dr. Kissinger’s White House Press Conference on 2f January

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1973, he stated that "North Vietnam has assumed the responsibility for returning all prisoners, accounting for all Missing in Action, and informing the United States of the location of the graves of American personnel throughout Indochina. That this responsibility was unconditional and would take place in the same time frame as the American withdrawal." On 5 December 1973, Frank Sleverts, of the State Department, said before the House Subcommittee on National Security Policy and Scientific Developments that, "Both sides will return to each other all persons regardless of nationality that were captured during the war. . . . Each side has the duty to gather information on those missing during the war and report the information to the other side."

However, the clock has run out on both cease-fires and there are still "81 current captured or interned" American military men not released as of 31 March 1973 according to the DoD figures quoted in the 5 June 1973 issue of the Congressional Record, Senate section. There are still 66 military and 7 civilian Americans who are buried in Hanoi, South Vietnam and Cambodia. The State Department lists 6 American Journalists held in South Vietnam and Cambodia, and 26 civilians still missing in South Vietnam, Laos and Cambodia—14 of whom are KNOWN captured. Counting the 1,251 military MIAs, this is more than 1,300 Americans still unaccounted for—almost 1,200 involved in countries where there is a binding cease-fire.

The 81 POWs are not just men we believe to have been captured, for our government has been very cautious about changing a man's status from Missing to Captured to-keep from giving families false hopes. These are men that have been seen captured by other Americans, seen in a POW camp system that has not released, photographed being captured, or men that the Communists have publicly announced they have captured. For example, two Kansans are known to have been captured—Major David Hrdlicka and Terry Reynolds. Major Hrdlicka was photographed being captured in Laos on 18 May 1965. Moscow's Pravda released the photograph, the People's Republic of China confirmed the capture through a propaganda broadcast, and the Pathet Lao released a tape of a letter Major Hrdlicka had written almost a year after capture. Terry Reynolds is a UPI journalist whose capture was witnessed by a CBS news team in Cambodia on 26 April 1972. Terry was seen alive in August 1972 north of Phnom Penh, and an ARVN officer that was released by the Viet Cong said that the journalists were in their camp in February 1978. As you can see from our "Accountability" list, approximately half of the 148 names are such cases.

Since all of the names on our list are documented by a public source, we have used many of their stories in our public awareness program to show Americans that only a third of the POW-MIAs have been released or accounted for. However, all efforts have been very handicapped by several high-ranking American officials publicly stating that "we have no proof that any American POWs are still alive" and by the President making five recent, televised statements that all of our POWs are home. The burden of proof works both ways—neither do we have any proof that they are all dead; and, as you can see, we have much proof of capture. While President Nixon was making his statements, Homer Elm was still held in a POW camp in South Vietnam and Emmet Kay was and is writing his wife from a POW camp in Laos. Elm has since been released. How many more men are being held even though we "have no proof"? Only the Communists and the Prisoners will know without the accounting.

As for the Missing, I believe Dr. Shields put it most eloquently when he said that if a tree falls in the forest, and there is none there to hear the noise, that doesn't mean the tree didn't fall. That pretty well describes Major James Rowe who was "Missing" until he escaped from a Viet Cong POW camp five years later, and Sgt. John Sextant who was "Missing" until he was released after being held two years by the Viet Cong. Many of the Missing can be accounted for by the enemy—or so they say. According to General Ogden in May 1973, the North Vietnamese have told our Joint Military Team negotiators that they "have all kinds of detailed information about our missing." They have also said, "We will work with the Pathet Lao. We will provide you every bit of information that we possibly can. . . . We will go across the river (meaning Cambodia) and we will talk to them and we will try to get all the information we can; we will try to find out if there are any men alive in Cambodia." The PRG (Viet Cong) have said, "When you get your things resolved in the North, we will follow suit, and do things exactly the same way." But we still have none of their information.
They may be bragging but they aren't totally bluffing. As you can see by the other half of our attached "Accountability" list, these stories prove that the enemy can indeed tell us what happened to our men. For example, SSgt. Dickie Finley, Capt. Dennis Pugh, and Lt. j.g. Gary Shank are three of many Kansans the Communists can account for. SSgt. Finley was on a long Range Reconnaissance Patrol into Cambodí when he and four others were engaged in a firefight. The rescue helicopter could only get three of the five out before having to depart due to heavy enemy fire. Sgt. Finley and his Assistant Platoon Leader stayed behind. The next day when the helicopter returned, they found the body of the Assistant Platoon leader but there was no trace of Finley. Capt. Dennis Pugh was in radio contact with his rescuers in Laos for 48 hours. During this time, repeated rescue attempts were repulsed by enemy fire as Dennis reported he was being surrounded. Two days later, helicopters were able to rescue the pilot but there was no trace of Capt. Pugh. Lt. Shank was shot down 15 miles southeast of Haiphong, North Vietnam. No chutes were sighted but an anti-American Swedownik newsmen was given all of Lt. Shank's personal gear (except dogtags) by a North Vietnamese officer. The officer told the newsmen that Lt. Shank was shot while parachuting to the ground but refused to take the newsmen to the place where Shank landed.

As far as the Americans the Communists have acknowledged are buried in Southeast Asia, the most the Communists have let our negotiators do is to see and photograph the 24 headstones in their rice-paddy graves outside Hanoi. They have absolutely refused to discuss the disposition of the 39 graves of the men and women who Died in Captivity in South Vietnam and Cambodia, where Viet Cong-captured Americans were held. How long must the families wait?

While we are in need of the cooperation the Communists can give us through the list of names they can account for, we also need the correlating data and a physical search to prove that they are not merely regurgitating our own data back to us. Since the United States has provided them with complete files on each man, the search is the only way to confirm any information we receive. The only way we can get both the list of names they can account for and the correlating data is to give our Four Party Joint Military Team negotiators strong public and private support from the very highest to the very lowest echelons of our government. Without this support, the Joint Military Team members and the Joint Casualty Resolution Center investigators cannot even get off the plane at Gia Lam Airport in Hanoi. President Nixon has sent us the Chronology of United States efforts by the Joint Military Team from 4 April 1978 to 10 October 1973, and Frank Sieverts has made available copies of diplomatic communiques through 29 September 1973. However, the only action resulting from these messages and meetings was the 18 June 1973 reaffirmation of the Paris Agreement. In other words, a low-key diplomatic approach has netted us a year of frustration and anxiety, 25 bodies that the JCRC located in "friendly" South Vietnam, and one live POW captured in October and released in December 1973.

The Joint Casualty Resolution Center (JCRC) in Thailand consists of 220 dedicated American volunteers. It is their task to take what little information they get, penetrate the harsh vegetation that covers the clues they seek, and determine what the evidence indicates has happened to the men involved. However, they are running out of "friendly" or "safe" crash sites and are now stopped because the safe right of entry into hostile territory that was guaranteed in the cease-fire has been denied. This means that 95% of the casualty sites can't be investigated and the families won't know the fate of their loved one.

A great deal of the information quoted in this statement has been provided to our organization by officials in the Department of Defense and the State Department. Without their assistance through the years, much of this information might not have been available to us and we are very appreciative of their help. This in itself is one of the difficult things for me to understand. DoD and State will help in any way they can. The Joint Military Team and the Joint Casualty Resolution Center are ready to do anything or go anywhere, even to the extent of giving their own lives in the search for the Missing. Yet, their and our efforts lack the public and forceful support of the Executive and Congressional branches of this government. The Information I have given you is just a drop in the bucket, and I so explain to help you understand the wealth of Information our government could use publically and openly to show the world how the Communists are violating their agreements in preventing us from learning about the missing men. Even the government's words of protest over the list being incomplete and inaccurate in January 1978 were eloquent compared to the thundering silence we
have heard for the past year. If secret negotiations for our men were going on, we could understand the silence but we have been informed that they are not.

President Nixon also said that we would not leave the release and accounting of our men to the “goodwill” of the Communists, but we have no choice but to believe that is exactly what our government is doing—asking us to believe when the Communists say there are no more POWs. Our strongest example of this is in Laos. On 13 September 1968, SOTH Peethrasi, of the Pathet Laos, named Jefferd, Christiano, Mauterer, and Harding Smith as being part of “several tens of American airmen we have captured.” He went on to say that “they are treated correctly. They are still in Laos and our fighters are feeding them with the means available: glutinous rice and, when possible, fish and chicken.” In January 1973, American officials believed from 20 to 60 Americans were Prisoners in Laos. In March 1973, SOTH Peethrasi vehemently denied that they held any Americans except for Emmet Kay, whom they still hold. Our government immediately started putting out the word that he was to be believed. Which SOTH Peethrasi are we to believe, particularly when it is not SOTH Peethrasi but Phoumi Vongvichit who negotiated the Laotian Cease-fire? If they held no Prisoners of War in March 1973, why did the Pattet Lao allow themselves to be responsible for the release of all POWs, regardless of nationality, and the accounting of the missing?

Another example is again in Dr. Kissinger’s press conference of 24 January 1973, when he stated that “we have been told that no American Prisoners are held in Cambodia.” How does he account for Terry Reynolds, the other American journalists and the 26 (now 30) American military men who were MIA or POW in Cambodia at the time? How does he account for the fact that the first group of Viet Cong held American POWs, who were released from South Vietnam, were actually held in Cambodia until a few days prior to their release? In addition, in the June 1973 issue of the Army Times, Frank Sieverts is quoted as saying that “persistent unofficial reports are that there continue, to be Prisoners detained in Cambodia.” How many years after that cease-fire is signed will Terry Reynolds and the others be waiting to come home?

Gentlemen, we have no personal axe to grind and we are looking for no one’s head in particular. Quite to the contrary, there are many to thank for their efforts over the years. However, we are after public action by our government NOW, or the efforts of all those involved will be in vain and the fates of the more than 1800 American Prisoners of War and Missing in Action in Southeast Asia will never be known. As an organization, when the list was so incomplete in January 1973, the Forgotten Americans Committee of Kansas did not wait before exposing the fact that the Communists had started out the agreement by violating it regarding the POW-MIAs. However, we worked quietly, with the confidence that our government was committed to the accounting and praying that their diplomatic approach was correct. Now, we are a year and a day away and not only have we no results, but we have lost the momentum of public support for the issue in our own country. We feel that our government has not explored all of the avenues open to it to achieve a full release and accounting.

Therefore, I urge this committee to recommend to the President of the United States that a mission be undertaken by Dr. Henry Kissinger and General Alexander Haig to the following cities, countries, and officials:

To Hanoi, North Vietnam, to negotiate with Le Duc Tho and General Giai; To Saigon, South Vietnam, to meet with the Four Party Joint Military Team negotiators;

To Samneua, Laos, to meet with Prince Souphanouvong and Phoumi Vongvichit; To Peking, China to meet with Prince Sihanouk of Cambodia, and to seek assistance from Chou En-lai; And, to Moscow, USSR to seek assistance from Chairman Leonid Brezhnev.

The sole purpose of this mission is to achieve the release of all Americans still detained in Southeast Asia, to account for the Missing, to return all of the Americans acknowledged buried in Communist soil, and to gain the safe right of entry for the members of the Joint Casualty Resolution Center.

Gentlemen, the United States has always looked out for the little guy and sought to aid the underdog. This time the American ideals are on paper in a Cease-fire and this time the American ideals are for the production of AMERICANS. The world is watching to see how important our own words and our own ideals are to us. Are these “guarantees” empty words? If not, we must NOW put our ideals into action.

28-787-74—6
FORGOTTEN AMERICANS COMMITTEE OF KANSAS, INC. (FACK)

The following is a list of POW/MIAs which could be or have been acknowledged by the Communist forces in Southeast Asia. Supportive data for each name consists of casualty or capture data (wherever releasable or known), followed by the source of information in parenthesis.

Laos—The 9-18-68 Soth Pethrasi statement referred to in connection with the names of Smith, Christiansen, Jeffords, and Mauterer was monitored from Puerto Rico and the teletype marked "unclassified" when we got it. The message states that these men are part of "several dozen captured American airmen" whom the Pathet Lao are "treating correctly and who are still in Laos" as of 13 September 1968 when Pethrasi issued the statement. He also named a Norman Morgan, reportedly captured 9 January 1968, but who is not on the DoD list.

Journalists—Zalin Grant interviewed returned ARVN POWs in early 1973 and released the following data supporting other stories indicated the journalists are still alive. "Returned ARVN POWs site Journalists on Route 7, 17 miles South of Nong in Eastern Cambodia 7-72 in ox-carts pulled by Hondas; another said VC Captain near Minot Eastern Cambodia (where military American POWs were released from in '73) reported journalists held in 7-72 and had cameras; Cambodian national saw in 6-72 at Prince Sihanouk's FUNK camp south of Route 13 in Kratle Province; returned ARVN POWs said guard told him in 8-73 journalists still alive and held in his area.

1. Adams, Steven H., T/Sgt., AF, POW/NV, 1-18-66; Tonkin Gulf. Known captured while flying amphibious aircraft on pararescue mission. DoD act. as POW (Des Moines Register, 12-69) DoD/KIA 7-17-73.


3. Anderson, Robert Dale, Lt/Col., AF, POW/NV, 10-6-72. He and back-seater talked as descended; both O.K.; back-seater captured immediately and returned '73; same day Hanol said "captured a number of U.S. pilots; Anderson's plane only one lost that day (DoD act. POW).


6. Bollendorf, Doiter, NDB Cameraman, Cambodia, 1970. Has been seen twice working as a laborer on a road gang in Eastern Cambodia; wounded when captured and wounded again by a B52 strike (State, Zalin Grant; Walter Cronkite; TV Guide; Washington Post, 7-78).

7. Bennett, William G., Lt/Col., AF, POW/SV, 9-2-87. Earlier rumored to have been killed while attempting to escape VC POW camp (DoD act.). DoD/KIA 5-23-73.

8. Benton, Gregory Rea, Sgt., Marine, MIA/SV, 6-28-69. Part of security force evacuating casualties when overrun at Quang Tri chopper LZ. Later search of the area could find no evidence of his death or injury. Only one not accounted for (Family; telegram from U.S. Marines to family).

9. Blackburn, Harry Lee Jr., Cmdr., Navy, POW/NV, 5-10-72. Radloff's exec and pilot; Rudy blinded by flames at hit; is sure Harry on ground and in truck to POW camp with him; heard man in next cell in Hanol repeating Blackburn's name (family; DoD act.).

10. Bodden, Timothy R., S/Sgt., Marine, POW/Laos, 6-1-67. With Steve Hanson; Steve was pilot and Bodden was gunner; crew who evaded capture and were rescued said Tim and Steve were wounded, alive, and captured (wife quoted in Chicago Today, 9-9-89).

11. Bollon, Ruhen, Able-Bodied Seaman, POW/SV, 12-24-65 (carried as civilian), O'Laughlin and Bollon were Civilian Merchant Marines; flew from Qui Nhon Harbor to Saigon but didn't return; in '68 as Viet National escaped the VC and identified names and photos of O'Laughlin and Bollon as being held by VC (State and League).

12. Bosiljevac, Michael Joseph, Capt., AF, MIA/NV, 9-29-72. Lt./Col. James O'Neal was his released co-pilot who said Mike landed safely in a pasture 24 miles West of Hanol. Mike is a nuclear physicist and is rumored to have been moved to a third country along with 87 others (family and O'Neal's story).
15. Bossio, Galileo Fred, Col., AF, POW/Laos, 7-29-66. U.S. Mission of the Central Tracing Agency of the ICRC in Geneva told Mrs. Bossio they had received word that Bossio was alive and a POW in NV. After receiving word, she went on to Paris (UPI Geneva, Wichita Eagle, 6-4-70).

16. Bowling, Roy Howard, Cmdr., Navy, 11-17-65, POW/NV. Had indicated was a presumed POW; in checking with DoD, one time got confirmation—second time weren’t certain of status (DoD).

17. Boyles, Howard H., Air America, MIA/Laos, 2-7-73. Boyle (age 62) and Cavill (age 51) identified as flying Air America C123 transport when shot down by NV 37mm anti-aircraft fire outside of Mekong river town of Thakhek Laos. Plane took heavy fire and rescue team could see two bodies in downed crash but were driven from area by heavy enemy fire (State; Las Vegas Sun, 2-14-73; San Diego Tribune, 2-12-73).

18. Brett, Robert Arthur, Jr., Lt., AF, 10-29-72, MIA/NV. F-111 pilot from Nellist AFB; co-pilot Stafford captured and released; Stafford and friends at Nellist believe was either captured or NV could account for him (family and contacts at Nellist AFB).


20. Bucher, John M., Maj., AF, POW/NV, 2-18-69. Quang Binh Province near Laotian border; radioed landed in tree and was unable to free himself from chute. Later reported dislocated shoulder. Rescue efforts suspended until following day. At that time, no radio contact could be established and his chute was still in the tree—EMPTY (U.S. News and World Report; League 5-30-73; DoD pamphlet).


22. Capling, Elwyn R., Lt./Col., AF, POW/NV, 2-19-68. NV. Other pilots observed his successful ejection and landing on ground. Radioed leg broken and requested help. Rescue attempts impossible due to heavy concentration of NV in the area (DoD pamphlet).

23. Christiano, Joseph, Col., AF, POW/Laos, 12-24-65. Captured and held by Laosians said both Pathrusi; 13 September 1968; also flares and distress signals picked up after being shot down. Rumored also made a statement; (Family; State; Congressional Record, 3-31-73; copy of Pathrusi news release).

24. Cocheo, Richard N., POW/SV, 1-31-68, Pacific Architects and Engineers, Hue. Taken at Vinh Long; could have been with Mauhard’s group or near it for awhile; seen 5-68 at Tan Gial walking with SV government POWs; had been there for 5 months (State and League).

25. Cooper, Richard Walker Jr., Capt., AF, POW/NV, 12-18-72, B52; Cooper and 4 other crewmen were announced captured by Radio Hanoi between 19 and 22 December 1972. Rest of crew released (DoD ack.).
30. Cordova, Sam Gary, Capt., Marine, 8-26-72, MIA/Laos. Had radio contact from ground with rescue unit; his radio man picked up, but when rescuers went back to get Sam, too much ground fire (Family bio).

31. Creed, Barton S., Lt., Navy, POW/Laos, 3-18-71. Muang-Nong Laos; broken leg and arm; radioed being captured; seen alive by groups; known moved and chute spread out to bring in other rescuers (Brother and League; confirmed State).

32. Crew, James Alan, Capt., AF, POW/NV, 11-10-67. Recon plane; Penn. Governor received a clipping quoting NV General saying women's militia shot down two F4C RVN recon planes same day and captured bandits alive. One plane had to be Crew's (DoD ack POW; Family; POW-MIA newsletter; League).

33. Cuthbert, Brad, Capt., AF, MIA/NV, 11-23-68. Flying RF4C on 25th birthday. Navigator says had good radio contact and had chance of escaping capture (Marshalltown News, Iowa, 6-70).

34. DeBruin, Eugene, POW/Laos, Air America, 9-6-69. Seen in photo with 3 Thai and 1 Chinese POWs. Was with Dieter Dingler and Dwayne Martin. All escaped 7-68, killing 6 guards. Martin bade for escape. Dieter made it after 45 days. DeBruin and Chinese waited on hill for rest of groups. Two Thais recaptured and later repatriated. They said they got word Eugene and Chinese made it to a hill and village where a white man was seen. Eugene weighed 125 lbs. by then. Eugene and other American pilots may have been moved by NV at Muong Nong village on 1-68 (State; League).

35. Demmon, David S., S/Sgt., Army, POW/SV, 9-9-66. Kidnapped by VC near Ban Me Thout in Central Highlands by five guerrillas who were seen leading him away (State; DoD ack; AF Times 12-19-73; Radio Free Asia, Vol. 1, #4).

36. Dexter, Bennie Lee, T/Sgt., Air, POW/SV, 9-9-66. Kidnapped by VC near Ban Me Thout in Central Highlands by five guerrillas who were seen leading him away (State; DoD ack; AF Times 12-19-73; Radio Free Asia, Vol. 1, #4).

37. Dodge, Ronald W., Lt/Cmdr., POW/NV, 5-17-67. On ground; talked with wingman on radio; as being surrounded by NVA, said "I am breaking up my radio"; appeared in 9-9-67 issue of Paris Match with head wound, and being guarded by NVA; Dutch free-lance photographer identified photo as part of movie taken in Hanoi (DoD ack; League; Life).

38. Doyle, Michael W., Lt/Cmdr., Navy, POW/NV, 8-25-72. Pilot, Ensch, was captured and released. Family believe Doyle also captured. (San Diego Tribune, 6-23-73).


40. Dunn, Joseph Patrick, Lt., Navy, POW/NV or Red China, 2-14-68. Ferrying unarmed prop plane; shot down by MiGs 7 miles from Hanoi; lead plane heard Joe try to talk via radio; search for 3½ hours and determined Joe drifted out of NV waters to within Red Chinese limits where could not search; Beeper heard for 7 hours. Joe's release was asked for by President Nixon of Red Chinese in February, 1970 (DoD ack; Wanderer, St. Paul, 2-26-70; Christian Science Monitor, 4-1-71) (Also held by Red Chinese was Hugh F. Redmond of Yonkers, N.Y., who committed suicide in captivity—same source).

41. Estes, Walter O. II, Lt., Navy, POW/NV or Red China, 2-14-68. Ferrying unarmed prop plane; shot down by MiGs 7 miles from Hanoi; lead plane heard Joe try to talk via radio; search for 3½ hours and determined Joe drifted out of NV waters to within Red Chinese limits where could not search; Beeper heard for 7 hours. Joe's release was asked for by President Nixon of Red Chinese in February, 1970 (DoD ack; Wanderer, St. Paul, 2-26-70; Christian Science Monitor, 4-1-71) (Also held by Red Chinese was Hugh F. Redmond of Yonkers, N.Y., who committed suicide in captivity—same source).


43. Ellison, John Cooley, Cmdr., Navy POW/NV, 8-26-67. Had radio contact with rescuers and his name was brought back by released POWs during 1968 and 1969 releases (Wichita Beacon, 12-28-69; DoD acc.; League; and POW-MIA newsletter).

44. Estes, Walter O. II, Lt., Navy, POW/NV, 11-18-67. Downed with Teague's plane near Haiphong; co-pilots (Paul Schults and Ted Stier) were acknowledged POWs and released; NV put out AP wire photo showing ID cards of Estes and Teague and stating "captured in Haiphong." Reclassified to POW 1-31-73 (Family and DoD pamphlet).

45. Fallon, Patrick Martin, Col., AF, MIA/Laos, 7-4-69. Alive for some time on ground in radio and ground sight (Radio Free Asia, Vol. 1, #4).
46. Flynn, Sean, Time Magazine Photographer, Cambodia, POW, 4-6-70. Known to have been captured and seen; recent doubts have been voiced whether still alive or not. (State; Zalin Grant; Walter Cronkite, TV Guide; Washington Post, 7-73).

47. Ford, Randolph, Lt/Cmdr., Navy, POW/NV, 6-11-68. Ha Thinh Province; talked with rescuers on radio and warned them away because of NV in area; Hanoi radio announced capture of pilot same time and place as Ford; Mark Gartley, released 9-72, said Ford died on or about 20 June 1968 in NV POW camp; Ford had reported on radio his arm was broken; name not on "Died in Captivity" '73 list (DoD pamphlet; Gartley) DoD/KIA dropped by 1-23-73 from list.

48. Francisco, San DeWayne, Capt., AF, POW/NV, 11-25-68. With Morrison; both had radio contact with rescuers; chutes sighted within 700 meters of NV encampment; contact with Francisco lost within half hour; Morrison evaded throughout night and re-established contact following day; weather prevented recovery and voice and beeper lost (DoD pamphlet).

49. Frayer, Bruce Carlton, Lt., Navy, MIA/Laos, 1-2-70. Classified and restricted source indicates enemy did capture Bruce and can account for him. Can give more background information on an individual basis only (Restricted).

50. Fullam, Wayne Eugene, Lt/Col., AF, POW/NV, 10-7-67. Wayne radioed to winger "not getting out"; good chute seen; rescue chopper started in but heavy enemy fire; saw Wayne's chute being pulled from the trees (Chattanooga Times, 10-28-69) DoD/KIA 1-2-74.

51. Gardner, John G., Capt., Marine, POW/Laos, 6-3-67. With Hanson; copilot of chopper extracting besieged unit and chopper hit in landing zone; carried by U.S. as POW although this is a different story from Hanson's told to us by Hanson's wife (Navy Times, 12-5-73) DoD/KIA 11-30-78.

52. Garwood, Robert R., Pfc, Marine, POW/SV, 9-28-68. Deserter; POW debriefings indicate is an interrogator for the VO against U.S. POWs. (Navy Times, 4-18-73; State ack POW).

53. Godwin, Soloroan Hughey, CWO, Marine, POW/SV, 7-26-70. Known: captured; debriefing of released POW says died in camp 7-68 but name not on Communist "Died" list (DoD).

54. Gerber, Daniel, Missionary, POW/SV, 5-30-62. Ban Me Thout: with Mitchell, Vietti; seen alive as recently as 7-73 according to Betty Mitchell (State and Mrs. Mitchell).

55. Godwin, Solomon Hugh, CWO, Marine, POW/SV, 2-5-68. Known captured; debriefing of released POW says died in camp 7-68 but name not on Communist "Died" list (DoD) DoD/KIA 6-5-68.

56. Hockridge, James Allen, Capt., AF, MIA/NV, 10-17-72. With Allen Graham; NV negotiators in Paris said before '73 that they both died but their names were not on the "dead" list in 1973. (Wichita Eagle, 1-19-72; Las Vegas Sun, 10-22-72 via Pravada).

57. Hopper, Earl P. Jr., Capt., 1-10-68, MIA/NV. Hit by Sam; he and pilot ejected; pilot captured and released; no positive word but believed to have been taken also (father).

58. Howes, George Andrews (Andy), CWO2, Army, POW/SV/Laos, 1-10-70. Downed near Laotian border; known to have been flying "blackbird" missing in unmarked choppers to lay LURPs and troops; believed this mission likewise; survived crash; believed to have been moved into Laos by NVA (Classified and family sources).

59. Hrdlicka, David L., Major, AF, POW/Laos, 5-18-66. Several months after capture, Moscow's Pravda released a photo showing David being captured; about the same time, Red China confirmed capture through propaganda broadcast; on 5-2-66, Pathet Lao released a tape of a letter David had written on 4-24-66. (DoD; POW/MIA organization; we have documented photo and materials).

60. Huberth, Eric James, Capt., AF, POW/SV-Laos, 5-13-70. Reported to have died in a camp before 1973 (DoD ack status).

61. James, Samuel L, Capt., AF, POW/SV-Laos, 5-13-70. Reported to have died in a camp before 1973 (DoD ack status).

62. James, Francis, Aust. newsmen working for U.S. press. Did not return from second visit to Red China and is presumed in captivity (Christian Science Monitor, 4-1-71).

63. James, Samuel L, Capt., AF, POW/Cambodia, 4-15-78. Sam and Capt. Douglas E. Martin were reported "possibly POW according to our intelligence" in Cambodia. Source of intelligence not mentioned (San Diego Tribune, 6-14-78).
74. Jeffords, Derrell Blackburn, Col., AF, 12-24-65. Names with Christiano,
etc. as POW by Soth Pethrasi on 9-13-68 (Congressional Record, 3-31-69 and
Copy of Pethrasi news release).
75. Johnson, Edward Harvey, Maj., AF, 12-21-72, MIA/NV, B52; Hanoi;
seen bailing out alive; rest of crew released; name seen on pad in interrogation
room by released crew member (wife of crew member from Johnson's wife).
76. Karins, Joseph John Jr., Maj., AF, POW/NV, 3-11-67. Had radio contact
and seen captured. Westmorland has his bracelet and says he is POW. (ack.
77. Kay Emmett 'Continental Air Service, POW/Laos, 5-7-73. Ackn()wledged
captured by Pathet Lao on 5-12-73; North of Plain of Jars refugee camp; not
known whether shot down or went down for mechanical reasons; supposedly
delivering food stuffs; on AID contract; writing wife in Vientienne; believed
to have been moved to NV and back; letters getting more propaganda in nature;
is an "old-timer" (State and PN from Laos).
78. Landland, Donald F., Cmdr., Navy, 9-6-72. Was last seen running on
the ground with navigator; navigator was released (Wichita Beacon, 1-29-73).

79. Lyon, Donovan, Maj., AF, POW (Laos, 3-22-68. Oppilot Ted
Guy was captured and released, Lyon was seen in POW camp by former POWs before
'73 release (Wichita Beacon, 2-9-73; DoD pamphlet; League; Support POWs,
4-72).
80. Mallon, Richard Joseph, Capt., AF, POW/NY, 1-28-70. Was seen with
Panek, being led away as POWs (family).
81. Martin, Douglas K., Capt., AF, POW/Laos, MIA/Cambodia, 4-18-73. Martin
and Samuel L. James were downed in Cambodia and "possibly POW according to
our intelligence" (San Diego Tribune, 6-14-73).
82. Mauterer, Oscar L, Col., AF, POW/Laos. With Christiano a,nd
Jeffords as acknowledged POWs by Soth Pethrasi, 9-13-68 (DoD and copy of
Pethrasi news release).
91. Munoz, David Louie, Sgt., Army, MIA/SV, 5-13-69. David and another were on guard duty while the platoon went into village in Binh Duong Province; after the platoon withdrew to their night position, they noticed both were missing; the platoon returned to guard post and found empty A.K.47 shells and blood. Five days later, platoon returned to same area and found 82nd Airborne arm patch and a deck of cards belonging to second man nailed to a tree with A.K.47 shells (family bio).

92. Nolas, McKinley, Pfc, Army, POW/SV, 4-67. DoD dropped as deserter in 1967; returning POWs from 1973 say he is a collaborator and still alive with VC. (Army Times, 4-18-73).

93. O’Grady, John F., Col., AF, POW/NV, 4-19-67. Wife was dying of cancer; went to Paris; was told he was dead by NV there but his name was not on 1973 “dead” list (AF Digest, 6-70).

94. O’Laughlin, Stephen Michael, Civilian Merchant Marine, POW/SV, 2-24-65. He and Bolon flew from Qui Nhon Harbor to Saigon but didn’t return; in 1968, a Viet National escaped the VC and identified the names and photos of O’Laughlin and Bolon as being held by the VC (State and League).

95. Olmstead, Stanley Edward, Omdr., Navy, KIA or POW/NV, 1-7-65. Shortly after being shot down, Olmstead was listed as KIA by our government; later when the NV identified Olmstead’s radar officer as POW, our government changed his status to POW (Shreveport publication, 9-70; DoD).

96. Padgett, David Eugene, Capt., Army, MIA/SV, 2-6-69. Pilot of plane; radio contact heard; orient female from his end; captured or killed (family).

97. Panek, Robert J. Sr., Maj., POW/NV, AF, 1-26-70. With Mallon as navigator; both men seen being led away as POWs (family).

98. Patterson, James K., Lt./Omdr., Navy, POW/NV, 5-19-67. Hai Duong Province; radioed for 2½ days and stated he had badly broken leg and probably could not move; Co-pilot, Omdr. Eugene McDaniel was captured and released.

99. Petersen, Gaylord Dean, Maj., AF, POW/NV, 1-11-67. Overly’s navigator; NV showed both ID cards and claimed to have captured both men (DoD; Congressional Record).


101. Powers, Lowell Stephen, CWO, Army, POW/SV, 4-2-69. Three survivors of chopper crash say Lowell was alive and uninjured at the time of the crash. Chopper exploded several minutes later (Wichita Eagle, 6-10-71).

102. Powers, Trent R., Capt., Navy, 10-31-65. MIA/NV. Family believes seen as POW but no proof or source. Carried as MIA (friend of family). DoD/KIA 6-12-78.

103. Prescott, Milton Jr., L/Cpl, Marine, POW/SV, 4-30-67. According to public statement by parents, Milton was captured on Hill 881. DoD carried him as POW until after the 1-7-70 list, then dropped his name. His name was not on 1973 “dead” list (Chicago Today, 4-9-69; DoD list).


105. Pugh, Dennis G., Capt. AF, MIA/Laos, 3-19-70. Navigator on F4D (forward air control) over Ho Chi Minh; search and rescue established deeper and voice with Dennis who reported he and pilot were in good shape; rescue delayed because of darkness and intense enemy activity in area; next morning, Dennis reported was surrounded; numerous rescue attempts repulsed by enemy fire and radio contact with Dennis lost. After 21 March, got into area to rescue Dennis’ pilot (Parents bio).

106. Rehe, Richard Raymond, S/Sgt., Army, POW/SV, —. Casualty data not known nor capture data. Ack. POW by DoD; DoD/KIA 6-6-75 stating that he had been a known POW. His name was not on the Communist “dead” list; 1976.

107. Reilly, Edward Daniel Jr., Sfc, Army, POW/SV, 4-30-66. No capture or casualty data known but ack. POW by DoD and (Army Times, 1-2-73; DoD/KIA 12-10-78.)

108. Reynolds, Terry Lee, UPI stringer, POW/Cambodia, 4-29-72. Captured near Phonmom Penh with Australian Allan Morris and Cambodian interpreter Chhim Sarath (second capture for Cambodian—once with Kate Webb and held 24 days in 1971); capture witnessed by other U.S. newsman not caught in road block; all 3 seen alive in August, 1972, N.E. of Phonmom Penh in good health. In
February 1973, a junior ARVN officer was released by the VC 75 miles north of Saigon and reported the foreign journalists alive; classified new hope for Terry on 6-18-73. (State; Zalin Grant; Walter Cronkite; TV Guide; Washington Post, 7-7-73.)

103. Ritter, George L., Capt., Air America, POW/Laos, 12-27-71. Pilot of a C-123 transport; shot down over Honopa, Laos; known to have been captured alive and may have been moved by NV at Muong Nong village on 1-68 (State; League; Radio Free Asia, Vol., #4).

104. Rozo, James Milan, Sp./5, Army, POW/SV, 6-28-70. Rumored captured with another American; 2 separately-captured VC (70 & 71) said both men were captured and one VC said they were moved to Cambodia. Status changed from MIA to POW 12-71 (Heart of America, 11-73; DoD ack.) With Phillips (Voice, 11-73).

105. Ruffin, James T. Lt./Cmdr., Navy, 2-18-66, POW/NV. Henry Aronson lawyer; saw Geneva Convention card on display in Hanoi under the heading "Some of the U.S. pilots captured in NV" (Wichita Beacon, 2-9-72; League).

106. Schmidt, Walter, Roy Jr., Capt., Marine, POW/SV, 6-9-68. Ejected and was O.K.; beeper heard 2 days; wife says reports kept in cave in Laos and 2 attempts to rescue him also report says Shelton survived being shot twice in escape attempts (flight surgeon report?); also reports was very sick from malaria (State; AF Times, 12-09-73; Congressional Record, 5-31-73). DoD/KIA 11-26-78.

107. Shlabotnik, Alexander, Newsweek, Magazine, POW/SV, 7-21-72. Known captured and last seen shouting at NVA in a bunker while NVA rolled grenades at him and fired machineguns (TV Guide; State).

108. Singer, Donald M., Col., AF, POW/NV, 8-13-68. Before 1972, the NV said he was dead; acknowledged earlier by DoD as POW; can be accounted for (Brooks; AF Digest, 6-70; League, 5-30-73).

109. Sister Helen, Missionary, POW/SV, 4-21-72. Third country national (Belgium); a captured with 4 French priests working in the Central Highlands. Priests showed no sign of abuse and had no word of Sister Helen's fate after their release by NVA (Catholic Advance, 9-7-72).

110. Skilvington, William E., Jr., S/Sgt., Marine MIA/SV, 6-12-68. Observer; over run by NVA during an evacuation; all others "found" or accounted for; no sign of death or injury (Family and Las Vegas Sun). DoD/KIA 1-14-74.

111. Smith, Hallie (Bud) William, Capt., AF, POW/SV, 1-18-68. No details of capture or casualty known to us, but DoD says POW (Oregonian, 12-25-68; State ack. POW 10-18-72).

112. Smith, Harding Eugene Sr., Col., AF, POW/Laos, 6-3-66. Acknowledged POW by both Pethrasi 9-13-68 along with Christiano, Jeffords, & Marterer (State; copy of Pethrasi news release).

113. Sparks, Donald Lee, Sgt., Army POW/SV, 6-17-69. Wrote his mother on 4-11-70 after being held for 10 months; stated he was alone; letter was found on the body of a dead VC; checked by DoD to prove was Sparks' handwriting and then delivered to mother (DoD confirmed all details, 12-28-73).

114. Standiwrick, Robert L. Sr., Lt./Col., AF, MIA Laos, 2-3-71. Was uninjured; he and co-pilot Gotner in radio contact with search planes; worked 30 yards apart through jungle; got separated after Standerwick said he was hit; Gotner evaded 8 days when captured reported from NV Standerwick killed and buried; 6 months later NV showed Gotner papers taken from Standerwick when he had "been rescued"; unconfirmed intel report said Standewrwick captured and in northern Laos (State; Gotner's statement) unconfirmed Randolph AFB report said 2 men, one fitting Standewrwick's description, were paraded through villages in Laos—one man wounded and in care. (Voice, 5-73).

115. Stanley, Robert William, Capt., AF, POW/SV, 4-1-67. Relative and DoD says was captured but no details known to us. (Oregonian, 12-25-68). DoD/KIA 5-4-73.
124. Steen, Martin William, Maj., AF, MIA/NV, 5-31-66. Parachuted safely and seen alive and running on the ground. Down in area of heavy NVA concentration (Support our POW's, 5-72).

125. Stevens, Larry J., Lt., Navy, MIA/NV, 2-14-69. Was on a night mission in squalls; evidence got to the ground safely and beeper heard; heavy concentration of NVA troops near but not in location (Family bio).

126. Stone, Dana, CBS photographer, POW/Cambodia, 4-6-70. Known to have been captured alive, but no new recent sighting unless he was part of the group seen 2-73 (State; Zalina Grant; Walter Cronkite, TV Guide, Washington Post, 7-73).

127. Sykes, Derri, S/Sgt., Army, POW/SV. Casualty or capture data not known to us but DoD ack. POW status (DoD/KIA 6-5-73 stating that he had been a known POW but his name was not on Communist "dead" list).

128. Teague, James E., Lt., Navy, POW/NV, 11-19-67. Down with Estes' plane near Haiphong; co-pilots (Paul Schults and Ted Stier) were ack. and released; NV put out AP wire photo showing ID cards of Estes and Teague and stating "captured in Haiphong." Reclassified to POW 1-31-72 (DoD pamphlet and family).

129. Terrill, Phillip Bradford, Sp/5, Army, POW/Cambodia, 1-18-70. Rescuers saw him being stripped to his shorts and captured (Wife).

130. Thompson, William James, Lt./Col., AF, MIA/NV, 8-1-68. Flying F4D over Bankari from DaNang; dropped ammo; explosion seen but no chute; beeper signal heard for period of time the next morning in the same area; only ship down in that area (Radio Free Asia, Vol. 1, #4).

131. Townley, Roy F., Capt., Air America, POW/ Laos, 12-27-71. Freight handler on a C123 transport shot down over Honopa, Laos; known to have been captured alive and may have been moved by NVA at Muong Nong village on 1-98 (State; League; Radio Free Asia, Vol. 1, #4).

132. Tubbs, Glenn Ernest, S/Sgt., Army, POW/Cambodia, 1-13-70. Rescuers saw him being stripped to his shorts and captured (Wife).

133. Van Bendegom, James L., S/Sgt., Army, POW/SV, 7-12-67. DoD gave us VC photo showing Jim with 8 other U.S. POW's in a VC camp. Other 8 were released and their debriefings indicate he died in camp; but his name was not on the Communist "dead" list (DoD) DoD/KIA 5-17-73.

134. Vandyke, Richard H., Capt., AF, POW/NV, 9-11-68. Vinh NV; ejected safely from rear seat; pilot landed in the sea and was rescued; Vandyke's chute was sighted and witnessed landing in a rice paddy; 3 days later Hanoi said "air pirate" was captured; VanDyke's only plane down in Vinh area for days (DoD pamphlet).

135. VandenEykel, Martin D. H., CWO, Army, POW/SV, 12-2-69. Chopper over Bong Son; maintained radio with second chopper after turning to avoid collision with mountain; Viet worker saw chopper go down and the four-man crew captured by the VC (Radio Free Asia, Vol. 1, #4).

136. Vescentius, Milton J., Jr., Cdrn., POW/NV, Navy, 9-21-67. Downed by anti-aircraft; successful desertion witnessed by pilots in the area 8; Vescentius seen immediately surrounded by "indigenous" personnel; radio Hanoi described what took place during the capture on 9-22-67 (DoD pamphlet and San Diego Tribune, 3-28-78).

137. Vietti, Dr. Eleanor Ardel, POW/SV, 5-30-62. Ban Me Thout; staff doctor, with Mitchell and Gerber; same story about capture and being seen alive 3-78 (State; Betty Mitchell).

138. Walker, Bruce Charles, Capt., AF, MIA/SV, 3-29-72. Quang Tri; alive for 2 weeks in radio contact but rescuers couldn't get in because of enemy concentration; rescuers dropped him food for more than 2 weeks until it was apparent that he was not there anymore to pick up the drops. Not known to have been wounded (Family).

139. Walters, Donovan Keith, Capt., AF, MIA/NV, 12-21-72. Hanoi area; all seats out of B62 and all got to ground safely; rest of the crew were captured and released; they saw NV had Don's ID card and his name was heard in another interrogation room (Wife; Radio Free Asia, Vol. 1, #4).

140. Warren, Arthur L., Capt., AF, POW/NV, 12-5-66. Ha Tay NV; pilot in other aircraft witnessed successful ejection; voice contact immediate and lasted for 2 hours; Warren said in good condition; contact lost before rescue chopper could get in (DoD pamphlet).

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141. Waters, Samuel E., Jr., Maj., POW/NV, 12-13-66. Hoa Binh Province; good chute seen; Hanoi's Vietnam Courier (12-16-66) reported Waters captured on 12-13-66; Agence France Presse (12-17-66) reported Waters killed on 12-3-66; Bulgarian Naroda Armiya carried article quoting Waters including picture of his ID documents (DoD pamphlet).

142. Wessendenback, Edward, Capt., Air America, POW/Laos, 12-27-71, Co-pilot of a C123 transport shot down over Honopa, Laos; known to have been captured alive and may have been moved by NVA at Muong Nong village on 1-68. (State; League; Radio Free Asia, Vol. 1, #4).

143. Wheeler, Eugene Lacy, Maj, Marine, 4-21-70, MIA/SV, Piloting OV, 50 miles South of DaNang; wingman saw fire and ejection of Wheeler and his aerial observer; reached ground safely; all-day attempts at rescue repulsed by heavy fire; 24 hours later, observed radioed enemy patrol approaching Wheeler's hiding place; gunfire heard; no further radio contact with Wheeler; observer later rescued but no trace of Wheeler. (Navy Times, 12-5-78).

144. Wills, Marvin B. C., Lt., Navy, POW/NV, 5-6-72. DoD reclassified from MIA to POW 4 months after casualty date. Family told they would not be informed concerning reason for reclassification. Wingman saw a full chute. (Family; DoD ack).

145. Yonan, Kenneth J., Capt., Army, POW/NV 4-24-72 Publically reclassified from MIA to POW 2-7-73; basis unknown. (Army Times, 2-78; DoD ack).

Additions

146. Alley, Gerald W., Maj., AF, MIA/NV, 12-22-72. All bailed out after taking hit on bombing run over Hanoi; 3 were captured and later released; one of 3 said he saw the other men coming down with good chutes and holding what appeared to be flashlights; also said he heard other American voices on the ground while evading capture. (Family bio).

147. Bowers, Richard Lee, Capt., POW/SV, Army, 3-24-69. Tam Soc near Saigon, overrun by VC; Bowers voice heard requesting help on radio; later Vietnamese civilian who escaped VC said Bowers and another had been captured and were dressed in black pajamas and taken into jungles. (Other's name redacted). (Voice, 5-73).

148. Elzinga, Richard Gene, Capt., AF, MIA/Laos, 3-26-70. On 3-10-73, Lao agent captured at Lon Tieng Laos with 3 $20 traveler checks on him signed by Elzinga; agent said Pathet Lao officer had given him checks to get supplies with; checks in good condition with no stains or damage; AF notified family that Pathet Lao "may know something" about Elzinga. (Voice, 5-73).

149. Estocin, Michael John, Cmdr, Navy, POW/NV 4-23-67. Haiphong, MIA until 7-31-67; classified sources reported him alive and held in NV. (DoD). Wife had package returned with all contents still in; added to package was crudely hand-sewn felt bootie with 2M's and 3 hearts made of felt tucked inside bootie. (Voice, 5-78).

150. Fieshtl, Olifford Wayne, Maj., AF, POW/NV, 9-30-69. With Howard Smith; 50 miles north of DMZ; beeper heard for over 24 hours; next day Hanoi radio said "captured pilot" but made no mention of back-seater Smith. (DoD; League).

151. Finley, Dickie W., S/Sgt., Army, MIA/Cambodia, 10-21-68. Lon Long Range Recon Patrol from Kontom SV when he and 4 others engaged in firefight; radioed for chopper pick-up; heavy enemy fire in area allowed chopper to pick up only 3 out of 5 before departing; Finley and Asstant Platoon leader stayed behind; search called off due to darkness; chopper returned next day and found body of Platoon leader but no trace of Finley. (Family bio).

152. Greer, Robert Lee, Sgt., Marine, POW/SV, 6-7-64. With Schreckengost; 10 miles from DaNang; sightseeing when captured; seen days later by villagers in black pajamas and being marched through villages by VC. (Voice, 5-79).

153. Johnson, Bruce G., Maj., Army, MIA/SV, 6-10-65 (Advisor). Went to help rescue another group of Advisors who had been overrun by VC and NVA at Dong Xoai Special Forces camp; Bruce's team also caught and all killed except Bruce; radioed for chopper pick-up but chopper forced to leave area before could get Bruce; later search accounted for all in both teams except Bruce. Other data restricted. (Family bio).