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Subcommittee To Investigate Problems Connected With Refugees and Escapees

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WAR-RELATED CIVILIAN PROBLEMS IN INDOCHINA

PART II: LAOS AND CAMBODIA

WEDNESDAY, APRIL 21, 1971

U.S. Senate,
Subcommittee on Refugees and Escapees
of the Committee on the Judiciary,
Washington, D.C.

The subcommittee met, pursuant to call, at 2:50 p.m. in room 6223, New Senate Office Building, Senator Edward M. Kennedy (chairman) presiding.

Present: Senators Kennedy and Fong.
Also present: Dale S. de Haan, counsel; and Jerry M. Tinker, staff consultant.

Senator Kennedy. The subcommittee will come to order.

The hearing this afternoon concerns Laos. We wish to welcome a Member of Congress who recently returned from the area, Hon. Paul N. McCloskey, from the 11th district of California. We want to welcome you, Congressman.

STATEMENT OF HON. PAUL N. MCCLOSKEY, JR., A REPRESENTATIVE IN CONGRESS FROM THE 11TH DISTRICT OF THE STATE OF CALIFORNIA

Mr. McCloskey. Mr. Chairman, I would like to place before the subcommittee certain facts ascertained by Congressman Waldie of California and me on a brief visit to Laos last week. These facts relate to and supplement several aspects of the testimony offered to the subcommittee at its hearing on May 7 of last year, relating to the causation of refugees and the impact of U.S. Air Force bombing operations, directed and controlled by the U.S. Ambassador to Laos from the Embassy in Vientiane.

That testimony indicated first (pages 57-59, hearing record), that U.S. bombing operations in Laos had been carefully controlled by the Ambassador so that very few inhabited villages were susceptible to being hit by U.S. airpower, and second (pages 67 and 71, hearing record), that of the refugees generated during the past several years—bombing had been a relatively minor factor in their decision to leave their native villages. Third (pages 67-68, hearing record), the decision of the refugees to move to areas in western Laos controlled by the
Royal Lao Government had been voluntary in nature, and not as the result of orders from either Royal Lao or U.S. Government officials.

On our visit to Vientiane last week, Congressman Waldie and I were initially advised by Ambassador Godley and ranking members of his country team that these facts, presented to the subcommittee last year by the Departments of State and Defense, remained true and correct as of that date, April 13, 1971.

We later received evidence, however, both by way of oral testimony and official Government documents, indicating that not only was the foregoing testimony not correct as of April 13, 1971, but it also was known to be incorrect and to have created a misleading impression as early as August 1970, when the final documentation for the subcommittee's report was submitted by the Departments of State and Defense.

Two very serious issues are thus raised by these conflicts. First, I am concerned that a very real possibility exists that a State Department-controlled aerial bombardment of villages in Northern Laos has been the compelling reason for the 100,000-plus refugees generated during 1968 and 1969. Second, it appears probable that the State Department has pursued a deliberate policy of concealing this fact, as well as the facts of the bombing, from the Congress and people of the United States.

The facts we have ascertained in the past week which relate to these issues are set forth as follows:

1. Laos is a nation estimated to have some 9,400 small villages, approximately 3,500 of which, according to former Ambassador Sullivan, have been located in Pathet Lao or contested territory since the Geneva agreements of 1962.

2. An estimated 1 million people may have once lived in these villages; in the last 10 years perhaps 700,000 of these people have become refugees (page 81, hearing record) moving into the Western portions of Laos controlled by the Royal Lao Government.

3. Under the USAID programs for refugee relief, refugees are no longer considered refugees when they have raised two rice crops in their new location; thus, there are only somewhat over 250,000 “refugees” on USAID rolls today, living in refugee camps scattered through Western Laos.

I have brought this map of the locations of refugee camps in Northern Laos and Southern Laos as furnished to us by the USAID Mission in Vientiane last week.

4. At the Udorn Air Force Base in Thailand, headquarters of the 13th Air Force, we were told by an aerial reconnaissance pilot on April 13: “I have flown over a lot of river valleys in Northern Laos these past 4 months, Mr. Congressman, and I haven’t seen any villages along LOCS (lines of communication).” An Air Force lieutenant colonel present stated: “There just aren’t any villages in Northern Laos anymore, or in Southern North Vietnam either, for that matter.”

5. Major General Andy Evans, commander of the 13th Air Force, told us that his pilots had not bombed any villages to his knowledge in the 7 months that he had been in command. General Evans further told us that all targets in Northern Laos had to be approved by the Ambassador in Vientiane, or by forward air controllers sta-
tioned in Vientiane and flying 0-1's with a Laotian observer. Ambassadort Godley later confirmed to us that no villages had been bombed without his consent, save in occasional circumstances of pilot error. Ambassador Sullivan stated to us that perhaps eight such errors had been reported to him during the 4 1/2 years he served as Ambassador to Laos prior to his departure shortly after President Nixon took office.

6. While at Udorn, I circled eight villages on the map of North Central Laos, and asked to see aerial photographs of the villages. Two days later, General Evans showed me photographs of two of the areas involved, and conceded that the villages no longer existed. He stated that they had been unable to find photographs of the other six villages. He further stated that he saw no difficulty in giving me the two photographs in question, but that he would like to discuss my request for them with his boss, General Clay, in Saigon. In visiting General Clay's headquarters the following day, I was advised by General Ernest Hardin, Vice Commander of the 7th Air Force, that General Clay had decided that I should make a formal request for the photographs through the Department of Legislative Liaison at the Pentagon. Copies of that request and two earlier such requests are attached to this statement as exhibits A, B, and C.

7. On the evening of April 13, at a dinner at the home of Ambassador Godley, we were told by various ranking country team officials, in the presence of both the Ambassador and Deputy Chief of Mission Monteagle Stearns that: (1) No hard data was available on refugee attitudes; (2) no surveys of refugee attitudes had been attempted because of lack of staff; (3) bombing was certainly no more than one of the factors, and certainly not a major factor in causing refugees to leave their homes; and (4) bombing of civilian villages was very rare, and then only in cases of pilot error. One of the junior officers, Mr. Frank Albert, mentioned that some refugees had been questioned, but his comments were overweighed if not overwhelmed by the positive statements of a number of his more senior associates who repeatedly argued the four views mentioned earlier.

8. On the following morning, April 14, a young political officer at the Embassy admitted to me that a summary of refugee opinions had been prepared during June and July of 1970. He went with me to the office of Deputy Chief of Mission Stearns who I asked to see the document in question. Mr. Stearns picked a sheaf of papers off his desk, leafed through them, and finally handed them to me at my request. A copy of this document is appended as exhibit D to this statement, but it may be summarized at this point by stating that it summarizes the responses of over 200 refugees from 96 separate villages in the Plain of Jars area, with respect to the bombing of their homes. Quoting from pages 5 and 6 of that report, let me take three specific quotes:

75 percent of 190 respondents said their homes had been damaged by the bombing.
76 percent said the attacks took place in 1969.
The bombing is clearly the most compelling reason for moving.

9. Both the facts stated and the conclusions in this report, addressed personally to Mr. Stearns by the U.S. Information Service
on July 10, 1970, are of course in square contradiction to this testimony furnished this subcommittee last year, and it is difficult for us to understand why the State Department, knowing of the Senate's interest, would not have voluntarily corrected the record by forwarding the report to the subcommittee long ago.

10. It is likewise clear that Mr. Stearnes deliberately intended to give Congressman Waldie and me a less than complete picture of refugee attitudes and bombing while we were in Laos. The Embassy prepared and gave to us, prior to the April 13 dinner discussions, what purported to be rather a careful briefing book on refugees. I have a copy of that briefing book here. It was given to us and a member of my staff. Three of the eight sections in the book were specifically titled as relating to Xieng Khouang Province. The refugee survey report of July 10, 1970, is entitled “Xieng Khouang Province Refugees in Vientiane Plain” and we accidentally learned from Mr. Albert on April 16 that Mr. Stearnes had called Mr. Albert into his office on the afternoon of the 13th (just prior to the dinner) and asked him if he was the one who had prepared the report in question. Bearing in mind that this report, and a shorter report of similar survey of refugees in a more northerly camp, which is appended as Exhibit E to this statement, were the only such reports in the Embassy's possession on the impact of bombing on refugees, it is hard to escape the conclusion that the Embassy did not want inquiring Congressmen to learn anything about widespread bombing in 1969, directed and controlled by the U.S. Ambassador.

11. After finally obtaining possession of the reports in question at approximately 3 p.m. on the afternoon of April 14, we were able, on the morning of April 15, to visit one of the refugee camps, Ban Na Nga, located about 40 kilometers north of Vientiane. We were accompanied by four interpreters, including two, Reverend Roffe and Father Meager, who had been recommended by the Ambassador as unbiased. We talked to 16 separate individuals and various groups of refugees who had come to the camp from at least seven villages in Tasseng Kat, one of the administrative sectors of Xieng Khouang Province. That is located, incidentally, in the Plain of Jars area, which is bounded by the red line on the map. This map shows the location of the villages from which the refugees came and a general description of the camp to which they have come. The taped interviews of these refugees are presently being transcribed, and we will file them with the subcommittee upon completion.

The refugees were unanimous in describing the destruction of every single home in each of the seven villages where they had lived. They described both T-28 and jet aircraft, as well as the use of CBU cluster bombs and white phosphorous. In all but one of the villages, the refugees had seen people killed by the airstrikes, the most numerous being the village of Ba Phone Savan, a village of 35 homes where nine were killed and 14 wounded.

We personally observed and talked with a number of people bearing scars from CBU pellets of white phosphorous; the photograph of a 10-year-old boy, Ba Sem Dua of Ban Thaun Village is offered for inclusion in the record at this point.
In all of the 16 interviews, save those interpreted exclusively by Father Menger, we were told that no Pathet Lao or North Vietnamese soldiers lived in the villages. In all cases but one, the Pathet Lao posts were at least 2 kilometers away; in the case of the one village, four Pathet Lao soldiers were stationed at a supply depot 500 meters away. (It should be noted at this point that both General Evans and Ambassador Godley told us that pilots were instructed to avoid bombing within 500 meters of an active village, an active village being defined as "one hut."

The refugees commonly described the killing of their water buffalo, and the fact that they had to live in holes or caves, farming only at night when the bombing became so intensive in 1969. In only one of the seven villages had a refugee seen any visiting Pathet Lao soldiers killed by the bombing of his village. The soldiers were described as visiting the villages only occasionally or as passing through on the road.

At one interview, the Chief of Tasseng Kat, the administrative area where these villages had been located, volunteered the information that his Tasseng had been evacuated from the Plain of Jars in early 1970 because they were ordered to leave by the Province Governor. U.S. planes provided the airlift capability.

12. The Air Force briefings from General Evans and his staff conclusively demonstrated both the immense accuracy of targeting and bombing, and also the voluminous and comprehensive aerial reconnaissance photography which precedes and follows bombing strikes. It is clear that the Air Force is only following orders, and that all targets are cleared and approved by the State Department.

13. The total tonnage of bombs dropped in Laos in 1969 and 1970 is over twice the tonnage dropped in the 2 preceding years, 1967 and 1968, prior to the time President Nixon took office.

With reference to the facts set forth above, the significant and incontrovertible conclusion is that at least 76 percent of 96 small villages in Northern Laos were destroyed by bombing in 1969. Cluster bombs and white phosphorous were used against the civilian population of a country against whom the United States is not at war. The bombing was done under the direction and control of the State Department, not the U.S. Air Force. Both the extent of the bombing and its impact on the civilian population of Laos have been deliberately concealed by the State Department for at least the past 9 months which have elapsed since the July 10 report was submitted by the U.S. Information Service to Deputy Chief of Mission Stearns in Vientiane.

How many of the 3,500 villages behind Pathet Lao lines have been destroyed by American bombing after Ambassador Sullivan left in early 1969 is a matter which is still open to question. This question can be determined quite easily, however, by asking the Air Force to produce current photographs of these areas from its comprehensive files. If recent photos of any particular area are lacking, it should be a simple matter to bring the files up to date by reconnaissance missions conducted at an altitude which will not endanger the lives of the American pilots involved. I hope the subcommittee will pursue this issue until the matter is finally resolved as to how many of the 250,000 plus refugees presently receiving
USAID assistance were generated by American bombing practices in 1969. A specific list of nearly 200 villages suspected to have been destroyed in a single area of Laos is appended as exhibit F hereto, and I would respectfully request that the Air Force be asked to provide photographs of each of these villages at an early date.

Whatever may be the answer, I would be hopeful that a fully informed American people will insist on an immediate cessation of further bombing in inhabited areas of Laos, Cambodia, and Vietnam. There would seem to be no U.S. interest in any of these three countries which would justify the continued slaughter of noncombatant villagers by antipersonnel weapons such as the cluster bomb, napalm, white phosphorous, and helicopter gunship.

Senator KENNEDY. Thank you very much, Congressman. That is a very fine statement and a very current statement. I think you have packed a great deal of information into your comments before the committee today.

Now, as I understand, the American bombing in Laos has gone through four different phases. The first phase was between May 1964 and October of 1966; the second bombing phase was from the fall of 1966 to the early months of 1968; the third bombing phase began in 1968, shortly after the partial bombing halt over North Vietnam in March; and the fourth phase began in the fall of 1969, when the most significant bombing increase occurred.

You have made some comments about the fact that there is twice the quantity of bombs being dropped in this last phase. Is this your general understanding of the phases the bombing has gone through in Laos?

Mr. McCloskey. Yes, sir. There are classified figures that give the precise percentages of bombs; but the general common knowledge discussed with us was that the bombing in 1969 was double that of 1968, and while there was a slight reduction in 1970, the total of the 2 years, 1969 and 1970, is over twice that of the 2 preceding years.

Senator KENNEDY. We heard earlier today about the creation of refugees in South Vietnam, and tomorrow we are going to hear about the origin of the refugee problem in Laos and Cambodia. Usually, we hear from those officials working in the various refugee programs, that the creation of refugees is caused by the need to escape the Communists, or Communist troop activity, or action on the ground, or Communist terrorism—that they are driven into the hands of the friendly forces.

So, I think it is interesting, in terms of the Laos refugees, that by official statistics the creation of refugees is directly related to the increased bombing activity—directly related. There can't be, I don't think, any question but that the 300,000 refugees in Laos today, that their creation relates directly to the use of American air power.

I was wondering if you would have any comment on that?

Mr. McCloskey. Senator, what you have said has been the reasons described to you for the causation of refugees. Congressman Waldie and I spent 6 hours, from 8 o'clock until 2 o'clock in the morning the first night we were in Laos, at the home of the Ambassador. A number of men present sought to assure us repeatedly this was the case, that the people feared Pathet Lao, they didn't like being taxed, they didn't like carrying goods for the Pathet Lao. We were told
this repeatedly. It was only the next day on our demand that we were furnished the one report they had. Again, I can't stress it more clearly that this is their own report.

They have held it 9 months without releasing it. The conclusion is clear, and I quote:

"The bombing is clearly the most compelling reason for moving."

For the State Department to have their own report on this subject and not to correct their testimony before this committee, in my judgment, raises a very serious issue as to whether the Administration is competently informing the Congress of the United States on this matter.

I think we ought to ask for a survey of all the refugees in Laos in order to determine what were their precise reasons for moving. This report certainly bears out your statistics on this.

Senator Kennedy. I think you have provided a great service in commenting on this refugee survey. As you pointed out, 97 percent of the people said they had seen a bombing attack, 82 percent as early as 1964, and 68 percent tabulated said they had seen someone injured by bombing. These aren't figures created by this committee or others—although I think generally the figures we have, as we saw this morning in terms of the total number of refugees in Vietnam, where we had more conservative figures than the Administration's own figures. But I think they are a very serious indictment of the present policy.

Now, let me ask you further: As we had our hearings last spring I asked Ambassador Sullivan at the time about whether there were reports of accidental bombings in Laos and, with the tremendous increase in the number of sorties, what procedures were being taken to try and remedy that situation.

Then after 3 months, after we requested the information, we received a comment from the Defense Department which we included in our hearings. It listed the various villages which had been accidentally bombed, and the interesting point—there are many interesting points—was that these were "friendly" villages. No mention was made of what constituted an "unfriendly" village.

It is interesting also that of the incidents they mention they have only worked out compensation with half the villagers. They have only been able to reach final settlement with only half of the different communities. I mentioned one this morning in January 1968, an accidental bombing of Ban Long which resulted in 54 persons killed, 82 wounded, compensation of 1,507,000 kip paid and other claims have not been processed by the Laos Ministry. That was in 1968, and still it hasn't been settled, and figuring 500 kip to the dollar, which is the official rate, that means we compensated them $55 for every person who had been killed. I don't know how they divided that, but if you just divide the amount compensated for that village they would have gotten $55 for each person killed. Does that distress you, Congressman?

Mr. McCloskey. Well, it seems a rather small value to put on a human life.

I would like to comment, Senator. In your questions last May, which appear on page 57, both you and Senator Fong queried Ambassador Sullivan very seriously about what steps were taken to
prevent this. I thought the Ambassador's responses indicated, and certainly nothing we found in Laos indicated he told anything but the truth—he insisted while he was there that photographs be taken after bombing strikes to make sure villages had not been hit by mistake, and in his testimony he stated during that 4½ years that formal inquiries were held in a great many instances at our request. And this continued while he was there, to be sure the rules were observed.

Senator Fong asked him how long he had been there and he said 4½ years. Later, in conversations with Ambassador Sullivan, he confirmed to me that about eight instances of those inquiries which had concerned bombing occurred behind the lines on so-called unfriendly villages.

His testimony is consistent with that of the refugees' testimony that the bombing of the villages really intensified in 1969, and this was the year of the tremendous destruction.

Senator Kennedy. We asked further about what steps, if any, had been taken against any of the pilots for these kinds of accidental bombings. Were you able to get any response on this as well?

If my memory serves me correctly, they had a very junior officer reviewing all of this. We are going to talk to him a bit about this tomorrow.

Is there anything that you would like to say about the civilian war casualties in the terms of the—

Mr. McCloskey. No, I would rather wait and have the transcriptions of the actual interviews filed with the committee. But I can say that it appeared that from the testimony of all the refugees we interviewed, that somebody had been killed in all of the villages but one. It ought to be a fairly simple matter of canvassing all the refugees to determine the total number of people that have been killed by American air strikes. Each one of them seemed to know who had been killed and who had been wounded.

The report varied somewhat, and it is always difficult to determine with a Laotian interpretation that you are getting precise numbers. However, I think we could possibly determine how many people we have killed by a thorough canvass of all the 700,000 refugees.

Senator Kennedy. Let me just ask you finally, Congressman, about the figures of these surveys; they show quite clearly that the creation of refugees is related to American air power.

These are figures which must be, I would think, exceedingly conservative. I just wonder what goes through a refugee's mind when he is down in a refugee camp, which is either under the control of at least under the jurisdiction of the friendly Laotians. When they ask him how he got there he probably doesn't say, "Well, you fellows are the guys who put me here." I would think if he were going to try and ingratiate himself to those who are now providing him with the tin roofing and the wheat or the little compensations that he might get, I would think he would be talking about those terrible Communist Pathet Lao, that drove him here and that they are the bad guys. Instead, when surveyed you get an overwhelming response about bombing—that it is the air power that has made them move. I should think that this adds an additional degree of credibility to the observations you have made and were able to detect from your personal conversations with refugees.
Mr. McCloskey, I agree with that, Senator.

Let me describe by way of example an instance that occurred in Vietnam. This didn’t occur in Laos but it occurred in Vietnam. It is clear that since the refugees in Laos are the recipients of benefits from the Royal Lao Government, they are not about to antagonize the government on whom they depend for assistance.

We were escorted by the MACV officers into this little village, and the elders were assembled and behind the elders stood three members of the Vietnamese police. Other members of the Vietnamese forces were standing around, and we asked what village they had come from. The initial response, interpreted to us, was that they had come from a village some 15 kilometers to the south in a little valley west of the main highway and they had come because the North Vietnamese, the Viet Cong had burned down their villages. These were their initial responses.

As we were listening to this terrible story of how fearful they were, an individual came up wearing a khaki uniform, a member of the popular forces. He started chattering in Vietnamese, and I asked the interpreter what he was saying. He apparently hadn’t gotten the word, because he told a completely different story.

He said this village had been moved out on May 15, 1967, but the village was all standing when they left, it hadn’t been burned down by the North Vietnamese, the Viet Cong, and that a month later the Marines came in and burned down the village. He told a completely different story than the officials and the mayor of that village had told us under the guns of the Vietnamese forces there.

I am afraid that much of the statistical data that is furnished visiting Congressmen under the watchful eye of the Vietnamese police and special services may be somewhat distorted in favor of the Saigon Government.

Senator KENNEDY. Senator Fong.

Senator Fong. Mr. Chairman, we have a vote going on right now. I would like to question Representative McCloskey at length. I would like to go over for my vote, and be back.

Senator KENNEDY. The subcommittee will stand in recess.

(Short recess.)

Senator KENNEDY. The subcommittee will come to order.

Senator Fong. Representative McCloskey, in your prepared statement, on page 11, you stated as follows:

With reference to the facts set forth above, the significant and incontestable conclusion is that at least 75 percent of 99 small villages in Northern Laos were destroyed by bombing in 1969.

In the pages preceding that, on page 6, quoting the report that you have from Mr. Stearns, who gave you this report, concerning 290 refugees, and you quote from the report:

Seventy-five percent of 190 respondents said their homes had been damaged by the bombing.

Seventy-six percent said that the attacks took place in 1969.

The bombing is clearly the most compelling reason for moving.

Now, do I infer that your conclusion that at least 75 percent of the 99 small villages in Northern Laos were destroyed by bombing in 1969 came from that report of Mr. Stearns?
Mr. McCloskey. That was the primary source. The second basis for that inference, Senator, is my own conversation with the refugees that we talked to. Congressman Waldie and I had eight separate interviews each, and in each case they described their entire village as being destroyed by bombing.

Senator Fong. According to this report by Mr. Stearns, 75 percent of the 190 respondents said their homes had been damaged.

Mr. McCloskey. Yes, sir.

Senator Fong. Nothing here states that their village had been completely bombed out; that is correct, isn't it?

Mr. McCloskey. Nothing from the report. I draw that conclusion, sir, because the cluster bombs which were used and the white phosphorus kind. Cluster bombs spread out over an area of about 25 acres in size, and when we say their homes were damaged, the eight that I personally talked with and the eight Congressman Waldie talked with, described every house in every village totally destroyed.

Senator Fong. You say you got that impression from an independent survey?

Mr. McCloskey. From my own questions to these people, in my presence, and at the conclusion of these interviews we asked the interpreters with us if they thought we had received truthful answers, and we noted they said yes.

Senator Fong. Between you and Congressman Waldie you interviewed about 16 persons?

Mr. McCloskey. I interviewed eight specific persons on tape. And with those eight persons there were two or three or four people clustered around, various people would join in. I would guess there were three or four or five people chiming in as I was taking testimony from a specific person.

Congressman Waldie talked to another group of eight. We switched interpreters in the middle to make sure we were getting square and proper interpretations.

Senator Fong. Can I ascertain from you how you did get to interview these people? Were they presented to you by someone or did you ask for them in particular, or did you willy-nilly go about it?

Mr. McCloskey. No, sir, the first day that we were in Laos we followed the schedule precisely as the Ambassador had set it out for us.

The second day, we were in Laos, we unearthed this document and at 1300 on the second day when we were going to Luang Prabang, the Royal Capital, some 100 miles or so to the north, the Ambassador's assistant had assured us this report would be back in my hands. It was not in my hands by 1300, so we cancelled the flight, finally got that report at 3 in the afternoon, and when we read the report we elected the following morning hot to follow the Ambassador's schedule but to request that we wanted to visit three specific refugee camps.

I might say that the USAID people were most cooperative. I want to distinguish between them and the Embassy, because the USAID people were extremely cooperative and they furnished us with the specific map that we asked them to furnish.

I asked them in the Plain of Jars area, in which there are several hundred villages if they could show us three refugee camps in which
refugees came from specific areas, and they furnished us with this map on the second day we were there. The map depicts the Plain of Jars area and they noted three groups: The A, the B, and the C refugees.

We asked them to indicate which of these refugee camps on the Vientiane Plain were which. We identified one C refugee camp, one B refugee camp, and one A refugee camp. We asked to go to a refugee camp of each category.

At the first refugee camp we went to, C refugee camp, representing the southeastern quadrant of the Plain of Jars, we got so occupied that we spent a full 4 hours in that refugee camp talking to the 16 villagers, all of whom, roughly, told the same story. We had to leave Laos that afternoon. We did not have the opportunity to go to the other two refugee camps we had hoped to. But we did this at our direction, not as part of the Embassy's schedule.

Senator Fong. How did you pick out these men?

Mr. McCloskey. Well, in the documents that they gave us they listed each refugee camp and showed the villages from each. I had gone to Vietnam and Laos with prior information that in several of these villages casualties had been reported. There have been some young men come back from Laos in recent months that have been into these refugee camps. We identified the two refugee camps, one 40 kilometers north and one 42 kilometers north, and we decided to go to these two refugee camps to see what we could hear and find what we could learn.

Senator Fong. So these names appeared on the document that you unearthed?

Mr. McCloskey. Yes, sir. There is reference in that study to refugees in the specific camp that we went to.

Senator Fong. I see. Did the names of these refugees appear on any document?

Mr. McCloskey. Not the names of the refugees, but the names of the villages from which the refugees had come. The way they did it, Senator, is this refugee camp had about 200 people in it, all of whom were from Tasseng Kat, which is the equivalent of a county. Thirteen villages of this Tasseng are assembled in this refugee camp. We fanned out through the refugee camp. We hoped to talk to somebody in each of the 13 villages. We compared notes and found we talked to refugees from seven of the 13 villages in that camp. They are clustered together according to the village from which they come.

Senator Fong. How did you get to talk to the specific individuals? Did you use interpreters?

Mr. McCloskey. Yes, sir, we used four interpreters: Father Menger, a priest for 15 years, Reverend Rooffe, a young man named McKeithen who was a USAID representative and a Chinese person named Wong, who worked for the security chief in Vientiane. We had four interpreters. We asked them to go out, and we really took the first people we came to. We would talk to a group, pick out a man and talk to him, and people were clustering around and move on a 100 yards and talk to another group. It was completely a random selection.
We found the reason we didn't get to all 13 villages was that we were moving through an area in which all the people from 7 villages lived, and we didn't reach the area in which the people from the other 6 villages lived.

Senator Fong. You were zeroing in on this Plain of Jars where there was intense fighting in 1969; is that the case?

Mr. McCloskey. This was not clear. There was intense fighting, but in asking these questions, the significant thing about the testimony of these refugees was that none of them described fighting in their villages. Their villages were destroyed by bombs. The key point, you see, is that the Embassy people kept telling us, "they fought over this village four times." But these people only said their village was destroyed by bombs, not by the fighting. They also testified there were no Pathet Lao in their villages.

The Pathet Lao would come by from time to time or pass by, but they were not the subject of fighting. This was the crucial point.

Senator Fong. These villages were located in an area in which the possession of the land changed four times?

Mr. McCloskey. I think that is correct, Senator.

In the nature of the way this war has been fought, it isn't like armies sweeping back and forth and devastating each other's areas with artillery. Several of these actions were described to us by Major General Evans. They would be something like a 1,000 men fighting 1,500 men, a battle over a large area without a great deal of artillery or air support in these small unit actions.

I was extremely interested in whether it had been air or infantry combat that had destroyed these villages. These people described unanimously the cluster bomb, the white phosphorus.

Senator Fong. So we are now talking about an area in which there has been intense fighting between the Pathet Lao and North Vietnamese?

Mr. McCloskey. All I know is that it changed hands. I can't verify the intense fighting.

Senator Fong. Now, you interviewed, you say, 16 people. How many refugees are there from that area?

Mr. McCloskey. About 2,200 were identified to us as living in that village, as I recall. It is over 2,000.

Senator Fong. In all the villages?

Mr. McCloskey. In the 13 villages in that one camp.

Senator Fong. I see. As I understand your statement you seem to give the impression that many, many villages were destroyed. Is that true?

Mr. McCloskey. Well, the only thing that I can verify are seven villages from the villagers we interviewed and the 97 villages mentioned in the Government survey. That is all I can state with conviction.

But frankly I draw that inference when that Major General of the Air Force—and I asked him to show me photographs of villages still standing—produced only two photographs out of eight and confirmed there were no villages. They were outside of the Plain of Jars, incidentally, those two.

And I draw the same inference when an Air Force captain tells
me he flew all over Northern Laos and never saw a village alongside a line of communication. Most villages on this map are along lines of communications.

Senator Fong. As I understand it, 80 percent of the bombing was on the Ho Chi Minh Trail; is that correct?

Mr. McCloskey. That is my understanding. This testimony and my whole testimony should be distinguished from the Ho Chi Minh Trail, which is several hundred miles to the southeast of this area of Laos. I don't question the bombing of the Ho Chi Minh Trail, although I think it is interesting that Ambassador Sullivan in his testimony to you, sir, on May 7, indicated they were giving the same protection for villages along the Ho Chi Minh Trail as in Northern Laos.

He was specifically asked about that 200-mile stretch of trail and he indicated that a circle had been placed around the villages on the trail as well.

Senator Fong. Representative McCloskey; I understand there are 11,734 villages in Laos, of which approximately 9,000 are under control of the Royal Lao Government and fewer than 3,000 villages are under Pathet Lao and North Vietnamese control; is that correct?

Mr. McCloskey. I have no way of verifying that. When I used the figure of 9,000 villages, Senator, I used the State Department's last official publication on Laos that I think listed over 9,000 villages.

As to the question of how many villages are behind the Pathet Lao area, I asked Ambassador Sullivan yesterday if 3,500 was a fair approximation of the areas that are being contested behind the Pathet Lao, and he said 3,500 was a fair approximation. But your figures could very well be right. I have no more exact testimony on that.

Senator Fong. Your testimony is to 96 villages; is that correct?

Mr. McCloskey. The only ones that I have any knowledge of, sir, on official documents are the 96 contained in that survey and the representatives of the seven villages that we interviewed.

Senator Fong. You said 76 percent of 96 small villages were destroyed by bombing in 1969. If you take 76 percent of 96, you would —

Mr. McCloskey. About 74 villages.

Senator Fong. About 74 villages. So your testimony revolves around the destruction of 74 villages —

Mr. McCloskey. I cannot honestly testify beyond that.

Senator Fong. Now, when you say, you unearthed this document, isn't it a fact that this document was presented to you before you went to Vietnam by the State Department?

Mr. McCloskey. No, sir, it was not, I was given—a member of my staff was given—a three-page summary of what was supposedly reflected in the document. I didn't see that three-page summary which was placed in a briefing book for me until the morning of the 14th of April. That three-page summary does not contain this conclusion, clearly, that the most compelling reason for the refugees leaving their homes was the bombing. That was a conclusion that did not appear in that summary.

From my judgment, this is the conclusion that caused all the concern.
Senator Fong. Was the statement that you received from Mr. Stearns the same as you received from the State Department before you went to Vietnam?

Mr. McCloskey. No, it was not. The statement that I received—or my staff member received from Mr. O'Connor of the State Department was four pages in length. I have in the file the report that was handed to me by Mr. Stearns, which is at least seven pages in length, and was accompanied by another eight pages of specific statements that were exemplary of certain witnesses that had been interrogated. They are included as appendix D and E in my statement. [See below.]

Senator Fong. You were provided with a summary of the report; is that correct?

Mr. McCloskey. Well, it isn't quite a summary, because it doesn't contain this conclusion that bombing was the compelling reason for refugee movement. I have the summary here. Would you like it to go into the record at this point?

Senator Fong. Yes.

Mr. McCloskey. If I can offer it into the record at this point, it is called "Survey of Refugees from the Plain of Jars Summary," and it starts in late June and early July of 1970. It was conducted by USIS, Vientiane, with American and local staffs under guidance of the Embassy political section. They conducted interviews with about 213 refugees on the Plain of Jars on the conditions of life in the wartime Pathet Lao zone and the reasons for leaving it. It states reasons for moving to the Royal Lao Government zone. It does not contain the reference that bombing was surely the most compelling reason.

It does say 49 percent of the 226 who were asked the question said that fear of bombing was the reason they had sought refuge in moving away from home.

This was the document I found in my own file on the morning of the 14th. This is the reason I went to the political officer and said, "May I see the survey?"

[The survey summary and complete text as mentioned follows:]

I. SURVEY OF REFUGEES FROM THE PLAIN OF JARS—SUMMARY

In late June and early July of 1970, USIS/Vientiane American and local staff under the guidance of the Embassy Political Section conducted interviews with about 213 refugees from the Plain of Jars area of Laos on the conditions of life in the wartime Pathet Lao zone and their reasons for leaving it. (The results of an earlier survey on Plain of Jars refugees [March 1970] and a July survey of non-Plain of Jars refugees are not included in the material presented below. Both were less complete, detailed and conclusive than the survey whose results are presented; their only substantial difference was their indication of higher levels of antipathy to the Pathet Lao.) The refugees were then living in twenty settlements in the Vientiane valley. Physical obstacles such as bad weather and bad roads limited the scope of the interviews' findings. Elaborate statistical sampling methods were not applied to the selection of interviewees, who nonetheless seem fairly typically distributed and generally representative of the population of their area in age, sex, education, occupation, and villages of origin. By comparison to the general group of refugees, these people had lived with the Pathet Lao longer than the average time. In comparison to the general population of the Pathet Lao zone, ethnic Lao, as opposed to hill peoples, predominate unusually in the Plain of Jars population...
RESPONDENTS' BACKGROUND

The great majority of the respondents left their homes in 1969, and more than 80% said they had moved one or more times before their move from the Plain of Jars to Vientiane province. Seventy-seven percent said their children were with them; 20% said their children were with the Pathet Lao. Many had had children in Pathet Lao schools; the parents appreciated the schools when they were local (three quarters of the cases), but disliked it if the children were required to leave home for schooling.

REACTION TO LIFE WITH THE PATHET LAO

“Unity” (cooperative farming and communal arrangements for looking after children) (21%) and “morality” (17%) were positive aspects of the refugee’s experience with the Pathet Lao; forced portage (40%) (which 65% of the respondents had performed) and taxation (85%) were the negative aspects most frequently mentioned.

BOMBING

97% of the people said that they had seen a bombing attack. About one third had seen bombing as early as 1964, and a great majority had seen attacks frequently or many times.

The Pathet Lao, 75% of the refugees responded, had taught them to dig bunkers to avoid bombing attacks. When bombs dropped, all the villagers reported taking refuge either in a bunker inside the village (28%), in a bunker outside the village (41%), or in the woods (31%). Two thirds had seen someone injured by bombs; in 80% of such cases the victim was a villager, in 20% the victim was a Pathet Lao. Somewhat fewer than two-thirds of those who answered this question had seen someone killed. Usually a small number of deaths had been observed; 32% had seen only one person killed by a bomb. This applied to troops as well. Only 18% of the respondents had actually seen Pathet Lao/Viet troops killed by bombing, and 25% had heard rumors of such deaths. Isolated atypical answers to these questions were also received; one man said he had seen 122 persons killed, other individuals spoke of strikes that had killed 80, 20, 30 and 20 Pathet Lao troops respectively.

95% of the 189 persons who responded to the question said their villages had been bombed; 75% said their homes had been damaged by bombing. Most of these attacks took place in 1969. 90% of the people said bombing made life difficult for them, two-thirds holding that it made earning more than a bare subsistence living impossible in its intense periods. 88% said they had built a shelter in the woods. 71% of those questioned said that the United States was responsible for the bombing; 21% said the ones on the RLG. 74% of the people said they understood that air attacks were caused by the Pathet Lao’s waging war, but 23% said bombing was directed at the people as well as the Pathet Lao. 13% said that it was aimed at the people, only 6% said the Pathet Lao had stored ammunition in their villages, while 11% had heard of this practice in other villages. Respondents divided evenly in saying that Pathet Lao troops were present or not present in the area of bombing. The refugees knew aircraft names (F-104, Skyraider, T-28, F-4) and were remarkably articulate about types of aircraft.

REASONS FOR MOVING TO THE RLG ZONE

48% of the 226 who were asked the question said that fear of bombing was the reason they had sought refuge by moving away from home; 50% gave dislike of the Pathet Lao as the reason for leaving their home areas, while 18% said the arrival of the RLG, and its allowing or encouraging them to move was the primary factor in deciding to leave. 57% said they would return to their villages if bombing stopped, but this seemed associated in their minds with a complete end to the war and the disappearance of the Pathet Lao. 65% said they would not return if the Pathet Lao were still in control of their homes.

CONCLUSIONS

The USIS officer who directed the interview concluded that it was the combination of three factors: the bombing, the portage, and the lack of restrictions imposed on those living with the RLG, which determined the refugees’ decisions to move from the Pathet Lao Zone to the Government area of Laos.
II. Complete Text and Supporting Documents of USIS Refugee Survey as Obtained by Congressman McCloskey

In the past two weeks, our interviewers have talked with refugees from Xlong Khouang Province, located in twenty settlements, from the Phnom Penh area in Thadaneu District. Most of them came to the Vienvane provinces with the group evacuated from the PDJ in February of this year. They came from 96 villages, located in 17 towns. (Tassang).

Bad weather and the usual travel impediments hampered the interviewers' movements and limited the scope of their findings. The lack of time and paucity of the interviewers' experience (only one of the four had ever been involved in such an exercise) were also limiting factors. Nevertheless, the relatively large number of people queried should give some degree of validity to the findings—at least enough to indicate general trends of thinking.

This group of people is atypical when compared to other refugees in Laos—the length of time they spent with the Pathet Lao separates them from the mass of refugees here. A separate report is being prepared on those people who have sought refuge from their homes in Saravan, Sam Neua and Luang Prabang. (People representing the latter two provinces now at Ban Na San—Site 272.) A cable will be prepared for the Ambassador on the 272 people.

Some Findings

1. Respondents' background

98 percent of the respondents admitted to having lived under a Pathet Lao administered government, 92 percent of them from 1964 until they sought refuge with the RLG in 1969.

77 percent said their children are living with them; 20 percent indicated that their offspring are now with the Pathet Lao; and the remaining 3 percent told the interviewers their children are away from home serving in the PAR.

Most of the people the interviewers talked with left their homes in 1969 (this was true of 93 percent). Including the move which took them to their current location, 48 percent said they had moved a total of three times since leaving their homes; 87 percent twice.

Nearly 60 percent said someone had arranged for their children to be taken to school—76 percent of this group said the PL had provided this service. There was an exact correlation between the location of the schooling and the parents' reaction to it—if, in the village, all concerned said it was desirable; if away from the home, the people said they did not think it to be a good thing.

2. Aspects of life under the PL

Finding what they liked and disliked about their experiences with the communists proved to be difficult—the refugees were quite generally reluctant to speak with strangers about their feelings toward the communists. However, the interviewers did manage to get 210 responses (more than one response was allowed) to the question, "What do you like best about the PL?" Of this number, 22 percent saw "unity" as a positive aspect of their life with the PL. ("Unity" in this case means cooperative farming, communal arrangements for looking after children, etc.) 16 percent of the responses indicated "morality" (fontham) as a feature of life under the PL. (Note: No doubt one reason this was mentioned is the presence of the refugees' cattle and water buffalo by the M11 troops prior to their evacuation from the PDJ.) Nine percent said they liked the PL system of education.

Economic welfare was the least desirable aspect of life under the PL, (41 percent of 365 responses). Next was taxation, (36 percent). (Ref: McKelhiney report provides a detailed account of life under the PL in Xlong Khouang.)

*For many of the questions, the number of responses is less than the total number of people interviewed, i.e., 150 or 150 have answered one question, 250 another, etc. The primary reason for this is that I asked the interviewers not to carry the questionnaire with them while exploring the area. They were instructed to wait until they could find a place where few people interviewed to mark down the responses. This was done in an effort to keep the climate of the interview as relaxed and free form as possible. I also warned the interviewers about guessing when it came time to tabulate their findings, thinking it better to ask the question, to have a partially recalled answer marked down. The length of the questionnaire, the driving rains under which many of the interviews took place, and the generally inclement nature surrounding the whole process resulted in many blank answer sheets. However, the rate of responses to number of respondents tabulated for each question should give an idea of the nature of the respondents' opinions.
3. Bombing

97 percent of the people said they had seen a bombing attack—32 percent as early as 1964. 49 percent said they could not count the number of times they had seen bombs dropped, and 48 percent said they had seen planes bomb "frequently."

Of 168 responses tabulated indicated that the respondents had seen someone injured by bombing, and 61 percent had seen a person killed. Given the period involved for most of the respondents (1964-1969) the number of people seen killed by bombing was extremely low—22 percent had seen only one person's death caused by a bomb. The only exception to this was one report from Phouvong Soui who reported having seen 112 people killed during a bombing raid. (Unfortunately, the interview who talked with this man is now sick and had to be taken to a hospital in Bangkok, so it is impossible to get any more details about this case.) The other responses indicate a generally low casualty rate.

This appears to be true for the enemy as well. Only 18 percent of the respondents said they had actually seen Laos-Viet troops killed by bombing, and 25 percent indicated they had heard rumors or deaths caused by bombing. The one outstanding exception reported was a T-28 strike on a cave near Xieng Khounsville used by the PL as a communications center. The air attack was reported as having gone away with the commo installation as well as some eighty PL troops who were in the cave at the same time. Other cases reported in which relatively large numbers of enemy were killed by bombing, included 20 PL meeting their end at Phou Com Phet, 30 at Phou Kha Bo, and 20 at Phou Tuong.

That the bombing raised havoc with the lives of the people while they were in the PDJ area is not to be denied. 75 percent of 190 respondents said their homes had been damaged by bombing; 70 percent said the attacks took place in 1960. 80 percent of 212 respondents said the bombing made life difficult for them. 63 percent of this group told our interviewers that they were prevented from earning more than a bare subsistence living during the most intense periods of bombing. 87 percent reported building a shelter in the woods after they first saw a bombing raid.

Even after being exposed to such trials, 74 percent of the respondents said they understood the air attacks were caused by the PL waging war. But, 28 percent told the interviewers that the bombing is directed not only at the PL but also the people—18 percent said it was aimed at the people only. 71 percent of 288 responses indicated the U.S. is responsible for the bombing—only 17 percent said the other side was responsible. 83 percent who had seen T-28s dropping bombs said they had also seen jets doing the same thing. Their familiarity with planes was considerable; F-105s were noted in both conversations. Some of the planes were "sky raiders" and F-4s (???). The PL propaganda machine has been reasonably effective, although it would seem to be aimed at a highly receptive audience.

4. Refugees' future aspirations

With regard to their aspirations for the future, the responses gathered by our interviewers did not yield a very clear picture. 49 percent of the people whose answers were tabulated at this point (111 of 226) said that fear of bombing was the reason for their seeking refuge away from their homes. 29 percent listed dislike of the PL as the reason for leaving. 16 percent said the RLG came in and "either allowing or encouraging them to move was a primary factor in making them refugees."

The bombing is clearly the most compelling reason for moving. 57 percent of all 231 respondents said they would return to their villages if the air attacks were stopped. However, nearly 49 percent said they would not go back if the PL were still in control of their homes.

*USAID refugee relief officer Edwin McKeelthen reported one case involving refugees being killed by an air attack. It took place in June 1968, as villagers from Phouvong Khoun were being led to their site by a PL guide. Near the site, T-28s dropped bombs on the group of approximately 4,000. It was caught in the open by four F-105s and stood on repeatedly. The casualties, according to McKethen, numbered over forty. After the attack, SGU troops intercepted roughly 800 of the people and USAID moved them to site 240. In the meantime, T-28s and F-105s continued to bomb the area. In mid-July, 85 percent of the people were recaptured by the enemy, presumably to continue their march to Nong Khi.
There are several possible reasons for this latter response. One might be that the people really cannot imagine having PL in the vicinity of their homes without resultant bombing. Another might be a fear of having alienated the PL by coming over to the RLG side, thus leaving themselves open to retribution. But probably the most intense is a simple desire to be away from the war and from all the suffering and hardship it brings.

My personal impression is that it was a combination of three factors that moved most of the refugees. The destruction of their home villages by bombing certainly instilled the type of fear that would make a person want to move. However, 31 percent of the people had lived with bombing since 1964. Though it was not as intense as in 1969, it still represented a threat to their homes and lives. Being forced to serve as a porter irritated a high percentage of the people. On the other hand, while living under the RLG brings with it some mistreatment, it is nevertheless a way of life which generally does not impose many restrictions. In my opinion, it was all these factors, coupled with the opportunity offered by the RLG's sweep over the PDJ in late 1969, that brought the people to the Vientiane government's side.

Attachments:
1. Tabulated Responses to the Questionnaire.
2. Biographical Sketch of Thao Vilay, a refugee from Xieng Khouang who held some of the discussions upon which the above report is based.
3. Narrative accounts of interviews with refugees from MR II.
4. Memorandum of Conversation with a Chinese woman who sought refuge from Xieng Khouangville.

ATTACHED ARE TRANSLATIONS OF INTERVIEWS CONDUCTED BY USIS EMPLOYEES WITH REFUGEES FROM MR. II.; THE STATEMENTS ARE INDICATIVE OF THE GENERAL TYPES OF REACTIONS RECEIVED FROM THE REFUGEES

The following is a biographical sketch of Thao Vilay, one of the Interviewers who participated in the discussions held with refugees from MR II now in Vientiane Province. Thao Vilay himself sought refuge away from his home in Xieng Khouang at the same time most of the refugees we talked with did.

Name: Vilay
Age: 25
Born: Kan Phoun
Tasseng: Khang Muong Pek
Province: Xieng Khouang
Studied six years at Phonsaven
Married to Nang Bouavan in 1936; one son

Presently lives at Ban Na Nga, Vientiane Province. Before the NLHX came, Vilay was a schoolboy. He was happy. His village was prosperous, with plenty of rice, fish and good wells. The government was responsive to the needs of the population. He had hope for the future. At that time, there was enough food and the living was easy. Anyone who wanted to could go into business for himself. Nobody bothered anybody else. Vilay was happy with this life, which was free and democratic.

But unhappily, trouble started up. His village fell into the hands of the NLHX's neutralist troops. At that point, he became a boon at Wat Phonsaven until March 1, 1961, on which date he left the pagoda and joined the neutralist police at Muong Khoun. He served the neutralist party until 1966, when the party split into the Kong Le wing and the Democrat-NLHX wing. Thus, from 1965 until 1966, he served in the Democrat police. Then he entered the Ministry of the Interior for seven months, after which he left the police and went to Phonsavan to rest up for a year. During this year, he had no rights. He was under the control of the authorities.

"I saw planes come to attack my village in 1965 for the first time; the village came under air attack many times in 1968-69, resulting in five killed and three wounded. Apart from my own village, there were 42 killed at Ban Tho and at Phonsavan. I saw eight killed at Lat Mouang. None of these casualties were relatives of mine."

* [Only part of which have been released to the Subcommittee.]
"I have heard of planes bombing the NLLHX, with the following results: 25 killed at Muong Ngan, eight killed at Ban Lat Sen, seven killed at Ban Doug and four at Phou Phonsavan.

"Under NLLHX control, I liked the conditions of equality under which everyone worked—but I didn't like taking part in rice requisitioning tours. From 1966 on, I was assigned to a Groupe Mobile by the NLLHX. I worked with this Groupe for four years and was sent to the front three times. The first time, I was sent to help a NLLHX artillery company for 15 days. This was my first combat experience against rightist troops. I was not wounded. The second time, I was sent to Muong Khom for 25 days. The third time, I was sent for three months to the forests of Khom San Cho.

"Then I was assigned back to my village at the time when the bombing was at its peak. It was so bad that you could no longer lead a normal life. Until 1969, I had at least been able to cultivate my own ricefield, but the war and the bombing had now become so severe that life was no longer bearable.

"The NLLHX ordered me to leave with them. I learned that they would leave for the Nong Het area, and I didn't want to go. Therefore, I and my family turned ourselves in to the troops of MR II. The family was sent to Tam Pring, but I was enrolled as one of Van Pao's soldiers. I was sent to the Plain of Jars for six months, where they needed men to accompany the refugees from Lat Sen to Vientiane. At the same time, I brought my family out with them. We live in Van Na Nga at the present time.

Following is the text of an interview conducted in Lao by Pradit Srisuyochandra, USIS employee, on June 25, 1970. The interviewee, a nurse, indicated there were two reasons for her seeking refuge away from her home. Fear of the bombing and dislike of the PL. Pradit's translation of the interview (tape No. 1) follows:

The interviewee is a 26 year old woman from Kangpa, Tasseng Klong, Muong Khonne, Xieng Khouang Province. She served as a nurse with the PL before she came to the Vientiane Plain from Muong Kholune. She studied nursing for eleven months in Khan Khay (with the PL). She is married and has two children who are now with her. Her husband did not come with her, as he was sent to Hanoi to study medicine while they were in Muong Khonne.

The reason she came to Vientiane was because of the bombings. The planes came to drop bombs all the time. She decided to come to the government side when the government troops came near one village. She was not happy under the PL. She had to work hard day and night without rest. She had to live in a shelter in the forest most of the time. She worked nearly in vain to earn her living. She did not like the PL. If she liked them she would have gone with them when the PL left one village. She lived under PL for many years and found her life to be very difficult. She had to carry the babies on her back while she was working. She did not want to go back to her village if the PL were still there, because if she did, she would have to suffer living in the shelter in the forest again. She said that under the PL, women were subject to hard labor and were forced to build roads. Young girls were made to be plane, fighters. Under the PL she had to get up at four o'clock in the morning to cook her meals. She will return to her village only when that area is under control of the government.

Following is the text of an interview conducted in the Meo language by Yang Chy, USIS, on July 8, 1970. The interviewee's original home, which he left in 1961, is near Muang Sen, just across the Lao border in North Vietnam (on route 7). He is now living in Ban Than Peur (TF 786).—the interview was conducted there. Boumling Souyen, USIS, translated the taped conversation (tape no. 2).

Cheu Kheu Kon, forty, came from North Vietnam to Ban Than Peur, Tasseng Klong, Xieng Khouang Province. He had eight children, three of whom are now dead. One son is working at Long Cheng, and one son is in the army at Long Cheng. His children were educated at Muang Mok (Site 46), and no children were educated with the PL. He came from North Vietnam in 1961. The reason he left his home was dislike of the North.
Vietnamese administration and taxation. The NVN sent agents to stay in the village to collect the rice tax. He could not stay under them, so he ran away.

After leaving North Vietnam, he went to Ban Nam Thong. He left there due to fighting between the RLG and PL. There were four days of bombing, and he was afraid of getting killed by bombing and the fighting. When the troops from MR3I took him from Ban Nam Thong to Muang Mok, he was very happy. Two PL had been killed in the fighting and he was frightened. Later, he went to Ban Than Peur, when Muang Mok was fought over.

Talking about his home in Ban Nam Thong, he said his land yielded 500 kilos of rice per year and that he had two cows and two buffaloes. If there was no war but the PL were in his hometown, he would go back. If the war is not over, he wants to stay here, because his home is destroyed, and he could not rebuild it now. The heaviest bombing he has seen has taken place this year, but he has never seen any villagers killed by bombing. He stays in the village, not in the forest, during bombing attacks. The villagers contact and give information to the RLG and call planes to bomb the PL, so they need not run away from the village. However, he has built a hut in the forest. They know when the planes will come to bomb. His village cooperates with the army to fight the PL. Most of the planes bombing his village are T-28s and jets. Just a few drop bombs at night. During one attack, there were 100 or more PL around his village. The PL shot at a plane once, but did not hit it.

He left his home in Ban Nam Thong because he was afraid he would be killed or captured and taken to North Vietnam by the PL. Also, he thought about the safety of his family. He has plenty of rice when there is no war, and he wants to go back to Ban Nam Thong if the government sends him there is no war, because the land there is very fertile. He does not want to go back if there still is war and the Communists are still there. He has not lived under PL before. His home was destroyed in 1970 by bombing. He thought the plane was to drop the bomb on the PL and not on the villagers. He saw PL killed by bombing. PL never kept arms in his village or others.

Following is the text of an interview conducted in Lao by Pradit Srisuryochandra on June 24, 1970. The interviewee was formerly a teacher under the Pathet Lao in Muang Khonne, Xieng Khuang Province. She found some aspects of her life with the PL appealing—the equality they gave her vis-à-vis the male members of the society. She liked that the bombing she was exposed to was the main factor in causing her to leave her home. She said she did not want to return to it until the RLG-controlled area in and around it.

Pradit's translation of the interview (tape no. 3) follows:

The interviewee is a girl of 17 who is now living in a refugee site in Ban Na Nga. She came from Ban Kony, Taysen Khonne, Muang Khonne, Xieng Khuang Province. She was a teacher at the elementary school in her village and also taught the adults to read and write. (Under the PL) She left her home on April 19, 1969. Her parents are farmers. She also helped her parents do the farming when they were in their original home. She is always thinking of her village. She wants to return to her home if she has a chance.

The planes dropped bombs in the area of her original home very often. However, she never saw anyone killed or injured by the bombing. The planes bombed since 1966. There were some PL troops in the bombing area. The things she liked about life under the PL were the equality of man and woman; she also liked the unity.

The reason she left her village was because of the constant bombings by the planes. The life was very difficult. Everyday she had to live in the shelters in the forest. She also heard that other villages were bombed by the planes, but casualties were very small. She said the planes which did the bombing belonged to the Americans. There were three kinds of planes involved in the bombing: T-28, T-33 and T-105. The bombs were also dropped at night, especially during 1965-66. She never heard or saw PL soldiers killed by the bombs. But she did see PL warehouses destroyed by the bombs. During the bombing, her life was difficult. She had to live in a small hut in the forest and did the cooking only one time a day in the early morning.
She has ten brothers and sisters. Her older sister is now in Khang Khay working with the PL as a nurse. The other brother and sister are now in the secondary school in Khang Khay. Her house was destroyed by one bomb on March 22, 1969. She will not go back unless the government frees her original home. She is now working for the Ministry of Social Welfare distributing medicine, helping the government medics at the Ban Na Nga refugee site.

Following is the text of an interview conducted in Lao by Pradit Srisuryochandra, USIS, on June 23, 1970, in Ban Mak Helou, Tha Deua District, Vientiane Province. This conversation between Pradit and the refugee cover many of the points made by other refugees whom Pradit and our other three interviewers talked with during their survey; the refugees found living in a war zone extremely difficult. This girl was better to be away from it. Pradit’s translation of the interview (tape no. 4) follows:

The interviewee is a man of 27 from Ban NaXou, Tasseng Sen Nol, Muong Khoute, Xien Khang Province, who is now living in a refugee site in Ban Mak Helou, Muong Thadene. He was interviewed on tape on June 23, 1970. He is married and has one son.

He said the reason he left his village and came to the Vientiane Plain was because of the bad situation and difficulty living in his village. He could not easily make his living for fear of the planes. This was the main reason for his leaving his home village. The planes started bombing his village in 1964 and continued until the present time. The planes dropped bombs near his village very often. The bombs were sometimes dropped far away from his village and sometimes were very close to his village. The bombs actually hit and destroyed his village in 1968. There was no one either injured or killed during the bombing. This was because there was no one living in the village. They lived in the shelters in the forest. He heard that villagers in other villages were injured or killed by the bombing. The bombs destroyed his village in February, 1969. During that time he was looking for some frogs in a brook in the forest.

He didn’t like living under the PL because of the hard life and because it was very difficult to make a living. He lived under terror all the time for fear of death from the bombing. He did hear the people talking about PL soldiers killed by the bombing, but the PL elements never admitted that PL soldiers were killed or injured. They always said there were no casualties, even when they had many. He wants to go back to his village in order to build a new house and develop his land. He will not, however, go back until the war ends. If the war is over, but the PL still control his village, he will not go back. He said he is quite happy here. The government gives him food. If he goes back he will have to face some difficulties. To make a living there would be very difficult because his land has been left unused, and he does not have any cattle to plow the land. He cannot possibly do it by hand. If he had cattle, he would go back, he wants to remain here for awhile with his government. He said the only chance he has to go back now is if the government corrects the situation and takes him back.

The text of the following interview, conducted by USIS employee Pradit Srisuryochandra, probably represents the type of response the interviewee felt Pradit wanted. That he got few like this would indicate this girl’s conception was self initiated. Pradit’s translation of the text follows (tape no. 6):

The interviewee is a 15 year old girl from Ban Kou, Tasseng-Kap, Muong Pek, Xien Khouang Province, who left her village in September 1969. She and her entire village reported themselves to the government troops who advanced close to the village.

She wants to return to her village when she thinks about the land and her house. But when she thinks about the PL and Viet Minh who are still controlling the village, she does not want to return. She would rather stay here. She could not remember when the bombs were first dropped on her village, because she was too small. She can remember very well that bombs were dropped on her village from 1967, until the time she left the village. She felt that, the planes probably did not want to bomb the village, but because there were PL troops in the village, the planes had to bomb it.
She always ran to the shelters when she heard the sound of the planes approaching. She said quite a few villagers were killed and injured by the bombings. She had several shelters, one close to her farm and the other in the forest. In 1967, she hardly lived in the house. In 1968 and 1969, she remained in the forest all the time and never went close to the house. She saw PL troops firing anti-aircraft guns at the planes from a long distance. Shots exploded everywhere in the sky. She misses her home very much, but she had to leave it. Because the PL troops were there, the planes had to bomb. She also does not like the PL. She did not like them because they always asked her to work. People were fed up with them. That was why they came to the government side.

To: Frank L. Albert
From: Tao Chua Vireya
Subject: Conversation with Chinese Refugee from Xieng Khuang

The refugee, a woman, was in the first group of Chinese refugees from Xieng Khuang to come to Vientiane. At the present time, she is renting a small house and staying in it with her mother, her three children and one younger brother. Her husband sold meat in Xieng Khuang and was arrested by the PL because he hired other persons to replace him when he was called by the PL to work. The PL said he did not cooperate with them.

Due to bombing, the PL advised the woman to move to a shelter in the bush while she was in Xieng Khuang. Cooking was a problem: she had to make dried inconspicuously lest they become bomb targets.

Before the PL left Xieng Khuang, they "invited" the woman and her family to run with them. But, she asked to wait for awhile to prepare food for the trip and then the FAR came and closed the evacuation route. She and her family were evacuated to Vientiane after this.

The woman's parents are Chinese, but she was born in Xieng Khuang. Today she is selling fruit and vegetables at the morning market to support her family.

III. COMPLETE TEXT OF BAN XON SURVEY REPORT

In the past week our three interviewers have talked with 97 refugees. Most of them are now living in the Ban No Sou-Ban Xon area (site 272). The majority are from Muang Hliem in Luang Prabang Province and Muang Son, Hua Phan (Sam Neua). Some are Xieng Khuang Lao from Muang Kham (around Ban Ban) who are now living at Ban That, near Phone Hong. And a few are Meo whose original homes were southwest of Muang Sen in North Viet-Nam, in the tin that protrudes into Laos just off Route 7. After leaving North Viet-Nam they had moved to Muang Mok (site 46) and then to their current home at Ban Than Peup (TF 7688). The same factors that limited the report on the Plain of Jars refugees—lack of time, bad weather conditions, the interviewers' lack of experience—hampered this operation too. Nevertheless, it gives some notion of what the people interviewed have experienced and are thinking about. Some findings:

(1) Type of people interviewed: The male-female ratio was 60% vs. 40%, 70% of the people interviewed had never attended school, 78% were ordinary villagers, not holding any position in the village hierarchy, 16% were Nai Ban, 02 of the 97 were married, and 88 of the 92 had children, 78% of those with offspring said their children were still with them, and of the children who had left home, 15% are now with the Pathet Lao and 0% with the RLG.

(2) The largest group, 22%, left their homes in 1967, 19% in 1969, 15% in 1968. Since leaving their homes, 42% have moved twice, 25% three times, and 13% only once.

(3) 50% of the people said they left their homes because they did not like the Pathet Lao, 28% because they feared bombing, and 22% because they wanted to be away from the war and when the government troops came they went with them.

(4) 79% said the areas in which their original homes are located were controlled by the Lao-Viet while they were there. The interviewees from Sam Neua had been with the communists since 1958, for they were caught up in the resistance movement against the French.
(5) The interviewers could get only 22 people to respond favorably about their experiences with the Pathet Lao. Of the 81 who answered the question "What did you like best about living under the Pathet Lao?", 59 (73%) said they did not like anything. The lack of favorable comment on the Lao-Viet may be attributed in part to fear of reprisal. However, the fact that the same interviewers got many favorable reactions from the PDJ refugees about their experience with the Lao-Viet suggests that the 97 people interviewed this time do have some genuine feelings of dislike for the communists. A partial explanation may be found in the terrorism employed by the Vietnamese troops when first introduced into Laos in large numbers in 1963. Another factor, of course, is that most of the people spoken with are now settled and seem reasonably happy with their new homes. (54%) said the land they are now on is as good as, or better than, the land at their original homes. A few of those from Sam Neua spoke wistfully about the profits from growing opium “back home.” But they conceded that the land around site 272 is better than their previous holdings for Highland rice.)

Of the many undesirable aspects of life under the Pathet Lao mentioned the highest number (48 of 183 items) centered around forced porterage. Following that was taxation (33). The other 52 negative responses fell into six categories.

(6) 25% of the respondents said they first saw bombs dropped near their villages in 1964 and a higher percentage (37%) had heard of bombs being dropped on other villages in that year. 69% said they had seen bombs dropped frequently (48 out of 70). 60% said they hid in the woods during bombing attacks.

(7) 25% (24 of 97) had seen people killed by bombing, although only one had witnessed the death of over seven people. The majority of those who had seen people killed (58%) had seen two or more deaths (29% had seen two and an equal number had seen three).

(8) 60% said there were PL troops in the area being bombed, although only 18% had seen enemy troops killed by air attack. A slightly higher percentage, 24%, had heard of enemy casualties being caused by bombing.

(9) 82 people said the bombing made life very difficult for them—80% of this group saying they could not eke out more than a bare subsistence living after the attacks started. A point of some interest here is that only 7% said they feared death by bombing.

(10) 57% of the respondents said they had seen T-28s bombing and 40% mentioned having seen jets. 49 of 92 (53%) said they thought the bombing was done by Americans; 30% listed the RLG as the responsible party; and 17% said they did not know who was doing it.

(11) Although 28% of the respondents said they had left their homes due to fear of bombing, 23% said they would return home if it were stopped. But 98% of all respondents said they would not return to their homes even if the planes stopped bombing, as long as the PL were still there. Reasons given were fear of continued war, dislike of the communists, and satisfaction with their present situation.

[Mueng Hien refugees from Ban Xon area]

[July, 1970]
Senator Fong: In this summary statement, and also in the primary statement, of 226 refugees who were interviewed, 49 percent said that the principal reason for leaving their homes was fear of bombing.

Mr. McCloskey: That is correct.

Senator Fong: Not bombing; just fear of bombing?

Mr. McCloskey: That is correct.

Senator Fong: Not actual bombing.

Fifty-one percent had other reasons, including their dislike of life under the PL and NVA:

Mr. McCloskey: Yes, sir; 59 percent said they did not like anything; 16 percent said they did not like the arrival of the RLG. Fifty-seven percent said they would return to their village if bombing would stop, but this seemed to associate in their minds the end of the war and a disappearance of the Pathet Lao. Ninety-six percent would not return if the Pathet Lao were still in control of their homes.

Senator Fong: Would you have a statement, sir, in regard to the refugees in the Xieng Khouang area?

Mr. McCloskey: This is appended as an exhibit to my testimony. It is a four-page document which starts with the words, “In the past 2 weeks our interviewers have talked with 96 refugees, most of whom are now living in the Phone Heng area.” [See the text above.]

Senator Fong: And in that survey it says only 28 percent of the respondents said they left their homes because of fear of bombing?

Mr. McCloskey: Yes, sir; in that survey 59 percent of the people said they left their homes because they did not like the Pathet Lao, 28 percent because they feared bombing, and 22 percent because they wanted to be away from the war and when the Government troops came they went with them. It sounds as if the same questions were asked in the survey. I never heard of this until it was handed to us on the morning of the 15th.

Senator Fong: Do you have any reason to believe this survey is not correct?

Mr. McCloskey: I have no way of verifying it or rejecting it, Senator. The figures are almost the same.

Senator Fong: Do you know who made that survey—the Embassy or USAID?

Mr. McCloskey: Well, I think when Mr. Stearns first handed me this survey it reflected on the cover page who made it, but when he handed it back to me he had deleted the cover page. And while I noticed that he deleted the first page on the first survey and made him give me a true copy of the first page, I didn’t notice that he had deleted it from the second survey. I can only assume that the second survey was prepared by the same men for the same men.

The information the State Department gave us was that it was prepared by USIS under the guidance of the Embassy political section. But the first one was a memorandum from Barnes of the U.S. Information Service to Stearns of the Embassy. I don’t know what the heading of that second survey was. I can only assume it is the same.

But in any event, Mr. Stearns didn’t tell me he had altered a copy when he handed it back to me, and I can’t verify what it was until I see the precise copy.
Senator Fong. You have no reason to believe that this survey isn’t correct?

Mr. McCloskey. I have no reason to believe it isn’t correct, Senator.

Senator Fong. You said there are approximately 200,000 or 250,000 refugees in Laos; is that correct?

Mr. McCloskey. Well, at the present time people classified as refugees I think are something like 260,000, and the former number of refugees, from the testimony before you by Father Menger last May, was that some 700,000 refugees had been generated in 10 years. But when they had grown two rice crops in their settlement area they were no longer classified as refugees. Out of 700,000 once generated, the 260,000 now carried on USAID rolls are what are classified as refugees at the present time.

Senator Fong. Now, of the approximately 300,000 refugees at the present time—is that the correct number?

Mr. McCloskey. 260,000 was the figure that I believed I recall from what—

Senator Kennedy. It is 292.

Mr. McCloskey. It is apparently—

Senator Kennedy. It is going up, whatever it is.

Senator Fong. Now, these 260,000 came from all over Laos; is that correct?

Mr. McCloskey. Yes, sir. The two maps that were given us show that the great bulk of the refugee camps are located either in the Vienviane Plain north of Vienviana—these black dots each represent a refugee camp—or near Long Chong, which is the CIA base.

We aren’t permitted to go to the CIA base. We requested the privilege. The Ambassador said you can’t go there.

Also, in Southern Laos, as you move down the Government-controlled section on the western half of Southern Laos, there are scattered refugee camps around approximately here and down in the southern tip.

But the bulk of the refugees appear to be in the northern half of the country, from the black dots on the map, at least—

Senator Fong. You didn’t question any refugees from the southern part?

Mr. McCloskey. No, sir; we returned to attend the Congress on the 16th. It is unfortunate because we went to Laos to interview as many refugees as we could. It wasn’t until the second day we were there that we learned the information that was available to us. I wish we could have had the opportunity, and I am hopeful of going back there when an opportunity arises, and trying to broaden this investigation. I think in view of the State Department’s concealing this for 9 months it is essential that the Congress of the United States know the causes of refugee movement throughout the country to the extent that our bombing has caused them.

Senator Fong. You said the State Department concealed “this.” What have they concealed?

Mr. McCloskey. The State Department testified before this committee on May 7 of last year that bombing was just one of the factors. Apparently in response to this committee’s investigation they then conducted a more precise survey of refugee attitudes. When
they discovered what those refugee attitudes were of 76 percent having had their homes damaged by bombing, instead of bringing it to this committee they withheld it. I would have thought that the ordinary ethics and candor of the executive branch, in dealing with the legislative branch, imposed an obligation on the executive branch to cure the omission of fact that they now are familiar with, if they had told you one thing and they find something else out a month or two later.

But I am particularly concerned about the deceit and concealment of this report that was discussed in Vientiane when I was there, with Congressman Waldie on the 13th and these men acted as if this report didn't exist. Mr. Stearns stood mute in my presence while men told me there was no survey. We unearthed it finally the following day.

Mr. Stearns, you were given a report when you left here?

Mr. McCloskey. My staff was given a copy of the report. I did not see that summary, unfortunately. We went over there with four large briefing books. I deferred the refugee book for examination until the first morning that I was in Laos. I was reading it at 6 o'clock that morning in the Ambassador's house when I came across reference to this survey for the first time. If I had known it earlier I would have presented it to these men the night before.

The fact that they knew about it and didn't mention it to me and allowed Congressman Waldie and me to have the statement made to us that no such report existed—that no survey had been made—is indefensible. There hadn't been staff to make a survey was what one man said to us.

Mr. McCloskey. And why would they say that when they gave you a summary before you left here?

Mr. McCloskey. I can't answer that, Senator. I can only assume the men in Vientiane did not know that one of the State Department people in Washington had given my staff that summary. They seemed surprised. When Ambassador Godley first talked to me about it he said, "Did you get that from Mr. Pratt?"

In fact, what he said to me was "You got a summary of that report—you previously got a report from Mr. Pratt; did you not?"

I said, "No, sir; I did not get the report from Mr. Pratt.

He said, "Did you get it from Mr. O'Connor?"

I said I wasn't sure. I didn't know the name of the man at that time—the man who gave it to my staff. It turned out it was Mr. Roderick O'Connor of the State Department who had given the three-page summary to John Wilson of my staff.

Mr. McCloskey. The summary of the report was given to John Wilson of my staff, apparently several days before we came to Vientiane, and I had no knowledge of it until the morning of April 14 at the Embassy.

Mr. McCloskey. Now, the report states that 76 percent of the 190 or so refugees said their homes had been damaged by bombing, and you said that you interviewed these 16 people and they said that their seven villages were completely destroyed. Now, is there a contradiction there?

Mr. McCloskey. I don't think so. I am not sure that the seven
villages we talked to were either in or out of the 96 villages. The names of the refugees they talked to in the actual survey—we only have three or four names.

In the sheath of papers in that original report, which had maybe four or five supporting statements attached to it—I didn't compare the names of any of those four or five with the people we talked to.

But, Senator, I want to make it absolutely clear that my conclusion about the absolute destruction is based on taking the testimony that people told me of those seven villages and correlating it with this Government report where they said 76 percent said their homes were damaged.

None of these homes can really be damaged unless it is destroyed. These homes have mud walls with thatched roofs. They are rather flimsy dwellings and certainly a cluster bomb or a 500-pound bomb or WP bomb is going to completely destroy anything it hits.

Senator Fong. So your testimony today centers around the 70 odd villages in the Plain of Jars in which there had been intense fighting and as to the type of bombing which we had pursued, correct?

Mr. McCloskey. I can't confirm the intense fighting. It is true that this area changed hands, and it is also true that fighting may have taken place in it. None of the refugees described fighting to us. None of them showed us bullet wounds. The wounds that were shown to us were from cluster bombs or white phosphorus. If fighting occurred in that area, and it could very well have, I have no personal knowledge of it. None of the refugees mentioned it.

Senator Fong. These villagers told you that no Pathet Lao were in the village?

Mr. McCloskey. In all of the interviews that were conducted by me with McKeithen as my interpreter or Father Menger or Mr. Wong, all of the eight villagers and the people surrounding them verified that no Pathet Lao were in the village, that no NVA soldiers were in the village. The distance to the nearest Pathet Lao or supply depot was 2 kilometers or more, except one; and one of those eight witnesses testified there was a military or supply depot 500 meters away, half a kilometer on one side, and a kilometer away or a thousand meters on the other side.

I should correct my earlier testimony. I think I said 500 kilometers. It should have been meters. The other six were either 2 kilometers or more.

Of course, the ring around those distances was 500 meters. There was no way with the Air Force's accuracy and precision—and that was amply demonstrated to us in the briefing—that there was no way they could hit that supply dump half a mile away and destroy this particular village.

Senator Fong. Yet we know there has been a change of hands?

Mr. McCloskey. Change of hands we do know, sir.

Senator Fong. We do know control of the villages had changed. The Pathet Lao moved into—

Mr. McCloskey. This may be. The way the people described it, the Pathet Lao and NVA stayed out of the village. They came in at night and the daytime sometimes. They passed through on the highways.
My understanding from Congressman Waldie, who was to testify here today, and may yet—and we taped each of those interviews—is that in the first interviews he held there was some doubt in the interpretation as to whether the Pathet Lao lived in the village.

But after he shifted interpreters, in the last three interviews he had it was quite clear they were not.

Senator Fong. So out of 9,000 villages under control of the Royal Lao Government, you have in your interviews found that 72 of them were completely destroyed by bombing.

Mr. McCloskey. Well, I think, Senator—

Senator Fong. I am trying now to zero in on what we are talking about. We are talking—

Mr. McCloskey. Senator, to my knowledge from the State Department statement there are over 9,000 villages in Laos. There is a line roughly down the middle that divides Pathet Lao and Royal Government or neutralist and rightist forces. The testimony reveals that behind that Pathet Lao line and behind the areas contested in the north and south there are roughly 3,500 villages that may be in contested areas or behind the Pathet Lao lines.

All I know about those 3,500 villages is that people from 96 of them were interviewed by the Government, people from seven of them were interviewed by Congressman Waldie and me. Now, I have no knowledge beyond those 96 villages, and perhaps that number includes the seven; as to the other 3,404—

Senator Fong. Yes. You have asked the commanding general for photographs to show standing villages in Laos behind the Pathet Lao line; is that correct?

Mr. McCloskey. Senator, to my knowledge from the State Department statement there are over 9,000 villages in Laos. There is a line roughly down the middle that divides Pathet Lao and Royal Government or neutralist and rightist forces. The testimony reveals that behind that Pathet Lao line and behind the areas contested in the north and south there are roughly 3,500 villages that may be in contested areas or behind the Pathet Lao lines.

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Senator Fong. Yes. You have asked the commanding general for photographs to show standing villages in Laos behind the Pathet Lao line; is that correct?

Mr. McCloskey. Yes, sir.

Senator Fong. They didn’t provide you with any?

Mr. McCloskey. They provided me with two, but then he took the photographs back and wouldn’t let me take them. Because those photographs showed there were no longer any villages in the sites that had previously been occupied by villages.

Senator Fong. From what I have received from the State Department, I understand the American Embassy in Vientiane offered to provide you with photographs of the Laotian villages. In addition, you were offered a flight over the Plain of Jars in site 50 and 82 area and then a trip to Northern Laos to see refugees in that area.

All of those proposals are designed to show you that many towns and villages in enemy-held territory had not been damaged by bombing.

Mr. McCloskey. That is not correct, sir.

Senator Fong. This is what I have been told.

Mr. McCloskey. Your information is incorrect. If I knew who furnished you with that information I would like to respond to them and subject them to cross-examination here. They did offer a flight over the Plain of Jars in site 50 and 82 area and then a trip to Northern Laos to see refugees in that area. All of those proposals were designed to show you that enemy-held territory had not been damaged by bombing.

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Ambassador Godley was present when Deputy Chief of Mission Stearns said yes, if you will give me that back I will have that in your hands at 1300 hours.

We went out to the waiting aircraft where there were several of the Embassy staff. I said where is that document that was promised to me. About that time, frankly, I was getting fed up that I was not going to get accurate information from the Embassy.

That Embassy, incidentally, looks like the command post of the 1st Marine Division. It runs like a Swiss watch. Nothing ever went wrong on that entire trip except when they told me at 1300 when I left that this paper would be in my hands. I am absolutely convinced that the paper was deliberately not placed in my hands because without the paper I wouldn’t know what to see or who to ask. I would be visiting camps and sites they selected. I was convinced I would see every sword dance and every ceremony the Embassy thought might give me some information, except I wouldn’t find any information of the kind I was seeking, which was how many people are refugees because of bombing.

I understood from other people that have gone to Vietnam and Laos that the Embassy people try to set out a schedule that includes a large number of formal briefings but minimizes the time a specific Senator or Congressman may ask questions. Frankly, everything I saw over there was that the Embassy did not want me to talk with refugees of my selection. They wanted to take me to their show places that demonstrated and supported their position.

I don’t know whether I am doing my job right or wrong, but I chose to turn down the opportunity to go to refugee camps because they did not provide me the information before that trip that they had assured me they would.

Senator Fong. Based on your investigation there, you want this committee to look into the matter; is that correct?

Mr. McCloskey. The only thing I ask of this committee, Senator, is to request the Air Force to do what the Air Force does best. Namely, to provide good aerial reconnaissance photographs of the sites of those 8,500 villages in Northern Laos. If the pictures show these villages are still standing, they are telling the truth.

If they show that there are no longer any villages there, then somebody is lying.

Senator Fong. Is it the fact that you did not take pictures of every village during the bombing? You only took pictures of military targets?

Mr. McCloskey. I will tell you, Senator, what the reconnaissance captain that I spoke to showed me on a map. He said he had been flying reconnaissance flights there 4 months. He was one of a reconnaissance squadron. He showed me a map of an area down here to the southeast, three separate river valleys and roads on that map, and he said I am going to fly—or he flew yesterday three separate 10 kilometer missions at this valley at 9,000 feet, 10 kilometers at this valley and 10,000 kilometers at a third valley.

All along that map on that route he showed me there were little villages. This was not the Plain of Jars. This was southeast of the Plain of Jars.
I asked him what about those villages. He said something to the effect, Mr. Congressman, I have been flying up there 4 months and I have yet to see a village. Those are his statements.

If there are no villages somebody has destroyed them. The assumption is that American air power has destroyed them.

Senator Fong. Have you seen any villages being built?

Mr. McCloskey. I asked if we could have the privilege of flying over enemy-held territory and was told it was too dangerous. This is why—whoever said we were offered the chance to fly over is incorrect. We specifically asked if we could fly over enemy-held territory and were told it was too dangerous.

Senator Fong. I understand there was a rally by the Pathet Lao and many of the families of soldiers and families of civilians who were gathered in Southern Laos complained about the treatment they received from the Viet Cong and North Vietnamese. Were you able to ascertain from them what their grievances were?

Mr. McCloskey. No, sir. When we were in Saigon I believe the first report was published that some Pathet Lao had abandoned the Pathet Lao cause and come over to the Royal Lao Government. I wish we had had time to talk to them. We did not.

Senator Fong. Thank you.

Mr. McCloskey. Thank you, sir.

Senator Kennedy. Congressman, I think you have shown an enormous awareness of this problem, and we are all impressed by how informed you are on this. I think you have brought a special kind of understanding to this area with your military background; you have gained an insight into this problem which is enormously impressive.

I have had a chance to visit some of these areas myself in 1965. I must say you have developed an understanding and grasp of the problems refugees are facing there.

You have been a great help to this committee in making this report today, and I want to tell you how much we appreciate it.

Mr. McCloskey. Thank you, Senator.

Senator Kennedy. The subcommittee will stand in recess until 9:30 tomorrow morning.

(Thereupon, at 4:15 p.m. the committee recessed until tomorrow at 9:30 a.m.)
The subcommittee met, pursuant to call, at 9:40 a.m., in room 6226, New Senate Office Building, Senator Edward M. Kennedy (chairman) presiding.

Present: Senators Kennedy and Fong.

Also present: Dale S. deHaan, counsel, and Jerry M. Tinker, staff consultant.

Senator KENNEDY. The subcommittee will come to order.

The hearing today continues the subcommittee's public inquiry into war related civilian problems in Indochina. Yesterday, the major focus was put on the festering situation in Vietnam. Of special concern this morning, is the deteriorating situation in Laos, and also Cambodia.

The subcommittee's active interest in Laos dates back to 1965. It was sometime later, however, that the situation of war victims became a matter of very urgent concern to the subcommittee. In 1968, the pendulum of the seesaw pattern of warfare suddenly swung wildly, and a marked escalation of the conflict began from which Laos and its people still have not recovered. A war which was once characterized by officials in our Government as a "relatively modest and low profile conflict" suddenly became a calamity.

The official American view of the escalation was explained by the President on March 6, 1970. He suggested that the escalation resulted from a sudden aggressive move by North Vietnamese forces into the Plain of Jars region from Sam Neua Province. But the record—including testimony before this subcommittee on May 7, 1970—strongly indicates a more complicated scenario, involving American as well as North Vietnamese actions.

Since early 1969 Laos has become the principal target of a "no holds barred" air war over Indochina. And we are now beginning to understand more fully than ever before—from Government sources—the devastating impact this air war is having on the civilian population. Official refugee numbers have doubled—to over 300,000. Untold numbers of civilian casualties have occurred.

There is, I feel, a continuing tendency on the part of our national leadership to underplay the serious dimensions of war
related civilian problems resulting from the air war—in Cambodia as well as Laos. Such a mindless use of power at this time—after the bitter and discredited experience in Vietnam—only shows a continued insensitivity to the people of Indochina which is distressing to this subcommittee and millions of Americans.

We wish to welcome at this time Ambassador William M. Sullivan, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, accompanied by Mr. Montague Stearns, Deputy Chief of Mission, U.S. Embassy, Vientiane, Laos; Mr. Willard H. Meinecke, Deputy Assistant Administrator, Bureau for East Asia, U.S. Agency for International Development; and Mr. Dennis Doolin, Deputy Assistant Secretary of Defense for East Asian and Pacific Affairs.

Mr. Stearns, would you also like to come to the table, please.

Mr. Sullivan, before getting started, on February 11, we wrote Mr. Hannah regarding three GAO reports on Laos and asked him for comments by AID and related agencies. On February 23, Mr. Hannah responded by saying they were carefully reviewing these reports and that they will write again as soon as their review was completed. We were subsequently told this would be just a few weeks.

Now, on April 22, we still haven't received further word. Are you going to be able to give us any comment on this?

STATEMENT OF WILLIAM H. SULLIVAN, DEPUTY ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS, ACCOMPANYED BY: MR. MONTEAGLE STEARNS, DEPUTY CHIEF OF MISSION, U.S. EMBASSY, VIENTIANE, LAOS; MR. WILLARD H. MEINECKE, DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR EAST ASIA, AID; MR. DENNIS DOOLIN, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR EAST ASIAN AND PACIFIC AFFAIRS; AND MR. THOMAS J. CORCORAN, MR. JACK WILLIAMSON, DR. PATRICIA MCCRERRY

Mr. Sullivan: I think that Mr. Meinecke will have a comment on this, and I think he will have the information that is requested in those reports.

Senator Kennedy: Will you be prepared to make some kind of response on this?

Mr. Meinecke: Mr. Chairman, when your letter was received in late February, we had to bring together all the necessary information from the field as well as from here in order to make a very comprehensive and deliberate kind of response. It is expected that the response will be in your hands in a very short time.

Senator Kennedy: Well, how long?

Mr. Meinecke: I would judge in the next 2 weeks or so.

Senator Kennedy: Is there any reason that we can't—that is February, March, April—that is nearly 3 months now.

Mr. Meinecke: Perhaps I could do this: I have a very brief comment here, if you like, to cover this so that you will have some sense of what we are going to include in the report. If I may be permitted, let me just make a brief statement.