Senator Kennedy. Well, just so we understand, we will get a more complete response on this within 2 weeks, other than what you will supply?

Mr. Meineke. You can be reasonably assured we can do so. I think all the facts and details and questions raised by GAO have been assessed in the field and are here and we are putting the report together in final form.

Senator Kennedy. I am wondering further why, when we requested from AID and USIS this recent refugee report from Laos, why was there such reluctance in making this information available to congressional committees.

We heard yesterday about the great difficulties Congressman McCloskey went through in order to get this material. We have been virtually since last August, trying to get this information, and finally yesterday, at the start of the hearing, it was suddenly made available to us by the Department of State.

Now, are we in the Congress supposed to continue to butt our heads against the Administration time and time again—not just this administration, but any administration—in order to get this material?

Mr. Meineke. May I ask for clarification? You asked originally about GAO reports?

Senator Kennedy. Right.

Mr. Meineke. That is the report we expect to have in the next couple of weeks.

Senator Kennedy. Yes. Now, I am addressing myself to the refugee report done by USIS in Laos—about the bombing reports among refugees.

Mr. Sullivan. I think that is the report that Congressman McCloskey referred to yesterday, Senator—

Senator Kennedy. Yes.

Mr. Sullivan. There is some confusion on this, because the Congressman was provided himself with a summary of that report before he left for Laos.

Senator Kennedy. Well, we asked for it in August of last year, and it was made available to us only yesterday.

[Printed below is the text of the letter accompanying the survey from Mr. David M. Abshire, Assistant Secretary of State for Congressional Relations. The letter was dated April 20, 1971, and was received the day of the subcommittee hearing, transmitting the surveys after a 6-month delay.]

DEPARTMENT OF STATE
WASHINGTON, D.C. 20520
April 20, 1971

Hon. Edward M. Kennedy,
Chairman, Subcommittee on Refugees and Displaced, Committee on the Judiciary, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: In response to requests made earlier by members of your Subcommittee staff for copies of the refugee surveys prepared last summer, for internal use of our Embassy in Vientiane, Laos, I am happy to forward to you the enclosed Xerox copies of two reports of surveys made of 1) Vientiane Plain refugees, and 2) Ban Non refugees. A summary of the
Vientiane Plain refugee report is also included as of possible use to you and the Subcommittee.

The principal subjects covered in the surveys are the refugees' social background, their conditions of life in the zone of Laos which is controlled by the Lao Patriotic Front and the North Vietnamese Army and subject to bombing by the Royal Lao Government and the United States, and their reasons for leaving that zone.

The findings in the two surveys are generally similar except that I would point out that the following significant findings in the Ban Xon survey are not reflected in the Plain of Jars survey:

1) 50% of the Ban Xon group said they left their homes because they did not like the Pathet Lao and 28% because they feared the bombing;

2) 69% of the Ban Xon group said that there were Pathet Lao troops in the area being bombed.

3) 23% of the Ban Xon group said they would return to their homes if bombing were stopped (as opposed to 57% of the Plain of Jars refugees).

It is most significant to note that a very high percentage of both groups (96% of Plain of Jars and 98% of Ban Xon stated they would not go back to their homes if the Pathet Lao were still in control of their home areas.

As these surveys are informal, internal documents of the Embassy in Vientiane and are in no sense cleared by the Royal Lao Government, I would request that the Subcommittee take appropriate precautions in its use of these documents to prevent any possible embarrassment to the U.S. Government.

Sincerely yours,

David Abshire
(S) DAVID ABSHIRE, Assistant Secretary for Congressional Relations.

8 Enclosures:
1. Report of Survey—Vientiane Plain Refugees
2. Report of Survey—Ban Xon Refugees
3. Summary of Vientiane Plain refugee report

Mr. SULLIVAN. Well, I am aware that there were contacts, I think, between Mr. Tinker of your staff and some members of the Department, and indeed a summary of the report was prepared for Mr. Tinker. I gather that the summary was never provided to him.

Senator KENNEDY. Yes, to my information, it was never supplied until yesterday.

Mr. SULLIVAN. I can only attribute that to a bureaucratic snafu, because the same summary was given to Congressman McCloskey, and it was only when it was discovered you didn't have it that the report ...—

Senator KENNEDY. You see, you have got these two situations, but I remember last May we had Mr. Doolin here before the committee. I will read from the transcript (p. 80) on this:

Senator KENNEDY. Now, you must know from aerial photography how many villages have actually been destroyed—what the size was of villages where you take pictures one day and then again the next day; you can tell where the buildings were, whether they are up or down; and you can make some estimation as to whether there had been people in the village or not. 'Have you done any kind of work like this?' Mr. Doolin. There is some information available and I will be pleased to prepare a report on the subject and submit it to you and correlate it with the rules of engagement which I will go into much more detail.

We still haven't got that report, either privately or publicly. It took us 3 months to get the report on bombing accidents in Laos; we still haven't got the reply on the GAO report; the USIS survey of refugees in Laos, which we asked for last August, was
only made available yesterday. So we begin to draw, I think, some rather unfortunate conclusions about this.

Mr. Doolin. Senator, with regard to the operating authorities, I did pass the word to your staff last year after we opened testimony that I was unable to go into that in any more detail in terms of the specifics of the operating authorities.

Senator Kennedy. Well, we asked for some written report—I mean, that information ought to be made available to the committee, if there are guidelines, if there are not guidelines. I don't know the informal kinds of conversations or discussions that you have had, and I refuse to accept them as a rationalization; we just have to note these requests were made and no report has been received.

We see the difficulties we have had in getting the refugee bombing report. Then we hear the stories which were associated with Congressman McCloskey's visit. You know, we begin to wonder, in terms of this committee's interest—in the problems of refugees and war casualties—why is there such a reluctance in the Administration? I don't think it is solely applicable to this Administration more than any other, in their reluctance to make available this material and information of great importance. We are all feeling our way in terms of this particular problem, so why the reluctance to make information available? I don't know, I think Ambassador Sullivan might just comment generally.

Mr. Doolin. If I can add, Mr. Chairman, after I passed word to your staff last summer that I could not supply the detailed operating authorities, I never had a further query.

Senator Kennedy. Well, I don't know these informal conversations you have had with the staff. I just think in terms of the record where the request is explicit. I have been reading through the record on this, and I asked the staff whether we had ever received this, and we looked through the files and found we never had. I don't know about private conversations.

Once again, you have this on top of all these other kinds of responses—which makes it appear that there is a kind of reluctance in making this information available.

Mr. Sullivan. On the question of the report about the bombing surveys, Mr. Chairman, I was not aware of the existence of that report until a few days ago. I was not aware any request had been made for the report. I think this was done in a private conversation by one of your staff with one of the junior officers of the Department.

I did discover that a summary had been prepared in response to that request, and I haven't been able to discover why it wasn't passed on to you. But we did not have a request that I was aware of. We did not have a letter from you or anything from the committee. Had we had, I think it would have received the attention—

Senator Kennedy. It is my information—and perhaps what I am accusing Mr. Doolin of, we ought to remedy ourselves, in terms of making sure we are getting these written requests down—but I believe we made this request through Congressional Liaison. Now we read published reports about it. And, you know, it would be reasonable to assume that since it has now been made a matter of public information, why we couldn't get it earlier.
I suppose, you know, we could ask correspondingly why we shouldn't be on your mailing list—that you should initiate, rather than us constantly probing for this kind of information.

Mr. Sullivan: Well, I think this particular report, which has now received considerable prominence, is something we ought to talk a little about.

As I understand it, the report was made because of a special circumstance existing in one small group of our refugee settlements. In that group, we had a peculiar situation. Refugees who seemed sullen, who seemed hostile to Government authorities, who were not cooperative, and this was most unusual amongst the refugees that had been created in Laos. Therefore, because of this circumstance and because of the confusion in the minds of those viewing this group, they suggested that there should be some inquiry as to why this particular small group had this set of attitudes. They did conduct, then, for their internal purposes, this survey of this group and discovered that this group had been in villages which were caught up in the fighting on the Plain of Jars, and that they had been pushed out of their villages first by the Government forces and back out again with those forces. Their villages were hit both by ground operations and then later on, when they were out of them, apparently their villages were damaged by bombing. These people—

Senator Kennedy. Is that very unique to just these 12 villages?

Mr. Sullivan. This sort of circumstance among the 700,000 or so refugees that have been generated in Laos over the past 10 years—only about 20,000 have been in areas that were under hostile control. So this particular number amongst the 17,000 that came out of the Plain of Jars after the fighting there was certainly a very small proportion of the total refugee population in Laos, and these particular groups seemed to be an even smaller number amongst the 17,000 that came out.

Senator Kennedy. Well, it is valuable. I think, to have this explanation of the administration, because I felt that this survey was done largely in response to the observations made by a number of congressional people that these refugees are created by indiscriminate bombing.

Mr. Sullivan. No, that was not the experience of the investigation. In fact, after this particular investigation was done with this particular group of villagers, another investigation was done of a similar group that had somewhat the same experience but different results came out of it. Both of these surveys involved something less than 400 people, I believe—221 in one and 190 in the other. So that it is a very small group of very special concern and one that the mission wished to investigate because of their bewilderment in the handling of this group rather than the—

Senator Kennedy. Are you familiar with Mr. Fred Bransman?

Mr. Sullivan. Yes, I am. He is here today.

Senator Kennedy. I understand he has surveyed a number of refugee groups.

Mr. Sullivan. I don't know. He has done independent surveys.

Senator Kennedy. Well, it is my understanding he has and he
can make a comment himself. But I understand he has done a good deal of surveying of refugee villagers.

Mr. SULLIVAN. I saw him out there; yes.

Senator KENNEDY. Mr. Branfman?

Mr. BRANFMAN. Yes, sir.

Senator KENNEDY. We have not met before, but I understand you have done a good deal of research in Laos on refugees?

Mr. BRANFMAN. Sir, in the last year and a half I have interviewed several thousand refugees from every portion of the area under Pathet Lao control in Laos. A good many of these interviews have been recorded on tapes and photographs. I have here some 60 pages of sample documentation of these interviews I would like to submit to the committee.

Senator KENNEDY. Those were conversations you have had?

Mr. BRANFMAN. These are conversations, photos from the files of the Lao administration, an excerpt from a report by a U.N. expert, a list of articles written by reporters, people who have seen both the bombing and its aftereffects in person.

Senator KENNEDY. Well, I would like to have them submitted and made available to the committee and included in, certainly in our file, and those parts which are relevant will be made a part of the record.

In your review of various refugee camps, Mr. Branfman, have your results of these conversations been substantially different from the USIS report?

Mr. BRANFMAN. Sir, each of these several thousand refugees that I have interviewed and several hundred Pathet Lao defectors have said that his village was either partially or totally destroyed by American bombing while he was still inhabiting his village. I would like to say a few things on both the content of Ambassador Sullivan's report and what he just stated.

This USIS report says a representative group of refugees from 96 villages from the Plain of Jars was interviewed—hardly a small group. In addition we have interviewed people from Southern Laos, from Muong Phine, which is located west of the Ho Chi Minh Trail. These people describe exactly the same experiences as in the USIS reports. We have also interviewed refugees in Pakse from Pathet Lao areas in Southern Laos, and they have described the same experience.

The Ambassador's statement says there are no inhabitants living in the area of the Ho Chi Minh Trail. I assume he is defining it as Routes 92 and 23. However, by an estimate given me by a political officer in the Embassy in March 1970, there were 250,000 people at that point living in the four provinces of Southern Laos through which the Ho Chi Minh Trail runs. I interviewed pilots from Danang Air Force Base, who were bombing the Ho Chi Minh Trail, who told me they did not simply bomb Routes 92 and 23 but bombed far west of it. In fact, one of them said the Ho Chi Minh Trail went as far west as Thailand.

What I am saying, there is good evidence the United States has been carrying out the most protracted bombings in history in Laos, bombings that have violated our own rules of engagement.
Senator Fong. Before we proceed, may we have your identification?

Mr. Branfman. Yes; my name is Fred Branfman. I was in Laos from March 1967 until February 18, 1971.

Senator Fong. Who do you represent?

Mr. Branfman. The first 2 years with International Voluntary Services, Inc., a private voluntary agency supported by the U.S. Agency for International Development in Laos. The last 2 years I stayed on as an independent journalist-writer, researcher, and interpreter.

What I would like to say is this: I don’t claim that my testimony should be taken at face value—that this committee should put any particular faith in the testimony of one individual. What I do suggest is that the documentation here which consists of reports by such people as Robert Shaplen, who took a CIA-sponsored trip through the Plain of Jars during the winter of 1970, and reported that one of the purposes of the bombing was to “destroy the social and economic fabric of Pathet Lao areas.” The report of this subcommittee’s own staff indicates that there were four phases of bombing, which includes bombing of villages. The taped testimony of refugees, the photographs of refugees who suffered wounds from the napalm and antipersonnel bombs, fragmentation bombs, and 500-pound bombs, and reports from survivors or from immediate relatives of people who have died from these bombs—all of this documentation is available which is not directly related to my experience as a—

Senator Fong. Mr. Chairman, may we make this hearing in order? Maybe the gentleman wants to come forward and testify. Let’s hear him in orderly fashion so we can cross-examine him.

Senator Kennedy. I certainly agree in terms of any extended comments. What we are trying to do is get some brief response to Ambassador Sullivan’s comments that this USIS refugee survey was done under a rather particular set of circumstances applicable to a rather limited group of people. But we were aware of the work done by Mr. Branfman in terms of a more general kind of survey. It was in response to this—to give this whole report some perspective—that I asked Mr. Branfman to respond.

But I think the point of order is well taken. We will take the information and the recordings which you have, Mr. Branfman, and I would like to make them available to the committee staff for review and to include them in the file or to incorporate into the record those parts which will be useful and helpful. (See appendix II.)

I want to express our appreciation. We will include those in the file, if you can make them available to us.

Mr. Branfman. Could I make one last comment? This is very brief.

All I am trying to say is that this documentation calls for an investigation by this committee, not on any evidence presented by Congressman McCloskey or me today. But the time has come to send your own team out, to look at aerial photographs, go out and look at reconnaissance—
Senator Fong. May I ask the Ambassador a few questions?

Mr. Sullivan. Mr. Chairman, I don't wish to undertake an extended rebuttal. I would like to reply to those statements which are on the record relative to my statement, either by submitting it or reading it. I hope to read it.

Senator Kennedy. Yes.

Mr. Sullivan. It is true that 250,000 people live in the provinces through which the Ho Chi Minh Trail runs, but they live well to the west of the trail. Moreover, when I talk of the Ho Chi Minh Trail, I talk of the area in which we see the North Vietnamese moving their people and their trucks. It is not true that the North Vietnamese use of the Ho Chi Minh Trail extends all the way over to Thailand. So when I say the area of the Ho Chi Minh Trail is uninhabited, that is what I am referring to.

The other statement I would like to make clear is that when Mr. Branfman spoke of those refugees he has interviewed, they are still rather a special case because there are, among the whole 700,000 or so, those 20,000 who have come out of areas that have been occupied by the Pathet Lao and by the North Vietnamese about 7,000 from the Plain of Jars and 3,000 from Muang Phine along Route 23 to the south. So it is, it seems to me, an extrapolation that is not warranted—to take that still relatively small group out of the total and to make conclusions of a general policy or the general performance of it.

Senator Kennedy. Well, in a minute I will yield to Senator Fong, but we can't get around the fact that the whole Ho Chi Minh Trail has moved westward; has it not? It is a rather flexible kind of trail; is it not?

Mr. Sullivan. No; there has been a great building of bypass roads and routes in the general area. In fact, with the cessation of bombing in North Vietnam the trail that is most used has been brought down so that it clings a little closer to Vietnamese territory. It comes in just north of the demilitarized zone and goes down primarily on Routes 92, 914, and so forth. Route 23 has been captured by the North Vietnamese, but there is no evidence they are using it for a main artery of supply into South Vietnam and Cambodia. They use it for some of the equipment they bring into the western part of Laos, but it is not, in our judgment, what we consider the main part of the Ho Chi Minh Trail.

Senator Kennedy. The reason I bring this up is because all of the newspaper reports from the Laos incursion indicate that there is frequent and increasing use of the river, for example.

Mr. Sullivan. That is the Se Kong River in the eastern part.

Senator Kennedy. As the pressures are put on one part of the trail, other parts are found and utilized, although there is a principal geographical area which can be designated as the trail. But as there are pressures put on that part, there is frequent use of other geographical areas.

Mr. Sullivan. That is true. It is all in a geographically confined area. It has not moved westward.

Senator Kennedy. It is all a relatively confined area anyway; isn't it—Southern Laos? How many miles are we talking about?
Mr. Sullivan: The trail area we are talking about is only an area of about 40 to 60 miles deep in Laos. But the rest of Laos—

Senator Kennedy: How wide is Laos?

Mr. Sullivan: At that point about 150 to 180 miles.

But the point is as they go west they get out of the tree cover and out of the hills and out into the open plains, and that is where inhabited areas are. They don't use that because their trucks would be subjected to attack, so there is no habitation in the area of the Ho-Chi Minh Trail which is bombed by U.S. forces.

Senator Fong: Now, Mr. Ambassador, now that we are on the question of reports, there was an implication yesterday by Representative McCloskey that subsequent to your testimony here last year the survey was made by your department relative to the reason for refugees leaving their homesites. I believe Representative McCloskey said, or he seemed to imply, that you were not telling the truth or that you didn't know the facts at the time you responded to us here in May, and that subsequent to that, after you made this survey, you realized approximately 47 percent is that correct of the people left because of fear of bombing?

Mr. Sullivan: 48 percent.

Senator Fong: But you did not advise this committee relative to that and that you had an obligation to advise this committee. Would you speak to that?

Mr. Sullivan: Yes, Senator.

First, in the hearings last year, and on page 66 and 71, I indicated that one of the reasons that people did leave their homes—and I quote from page 67—"others fear the Lao and American bombing of the Communist zones."

On page 71 we talked in terms of why the people left, and we mentioned that most Lao wished to get to a place where they can raise their rice, and so forth. "It cannot be assured when civilians are being subjected to bombing or shelling from either side. Most Lao civilians learn very quickly that bombing necessarily follows the North Vietnamese."

Therefore, I think it is clear on the record that we did say that among the causes for refugees to leave their homes is bombing. We did not say that it was the major cause. We still don't think it is the major cause. I think the way that best can be demonstrated is in terms of the statistics that I have just cited, of the 700,000 or so refugees that have been generated; all but about 20,000 have been pushed forward by the North Vietnamese; that they have come in from the east and have been moving to the west. They have not been in the areas that have been subjected to bombing. About 20,000 have come out of the area where bombing has taken place.

Now, if the interpretation is that the generational cause of refugee movements is attributed to bombing, we would say in those proportions it is possible that among those 20,000—if you wish to use this particular report that we made—a possibility of somewhat less than half cited fear of bombing as their cause for leaving. Even those that were interviewed in that report indicated that their homes had been damaged by bombing, some 75 percent of
them. As I understand, some of these people came from, for example, the village town of Phong Savan. Phong Savan had been taken by the Lao forces when the North Vietnamese came back. The Lao forces took the residents of that town with them into the forest. The North Vietnamese recaptured the town. The town was subjected to attack both by ground and air. A great many of the homes in the village were damaged. Now, these people can say yes, their homes were damaged and they feared bombing and they left.

We have never attempted to suggest that there is a Simon pure military action. No such thing can be guaranteed. The only thing we have tried to put on the record is that the prime cause for refugees moving from their homes has been the pressure of North Vietnamese forces pushing in against them from the east. We have also tried to put on the record that there has been a considerable effort on our part to assure that minimum risk has occurred to civilians and that is why some of the rules of engagement that we previously cited have been followed.

Senator Fong. Do you feel that the report survey that you made subsequent to your appearance before this committee substantiated what you said to the committee?

Mr. Sullivan. We feel that in the context that it was made and the fact that it was looking into a particularly atypical group of refugees, that it bears out the fact that a small group of these people did get caught up in the war, in the ground war, in the air war, in the areas that were fought over. But most of the people who were refugees moved out ahead of that war, trying to get away from it, trying to get away from the forces as they came in.

We have contributed to helping them move and helping them be resettled. Many of the people have been moved, time and again. Some of the 300,000, for example, that are currently refugees in Laos have been moved as many as three and four times because the war has moved inexorably from the east to the west.

Senator Fong. Representative McGloskey seemed to give to this committee an implication that after the survey was made, because it revealed some facts which seemed to conflict with your testimony somewhat, according to his interpretation, that you concealed these facts and that you should have sent the survey facts to the committee. Would you respond to that?

Mr. Sullivan. Well, we have discussed this earlier, Senator. I think just before you came in. I think the question of concealment becomes blurred by the fact that Representative McGloskey was given a summary of that report voluntarily by our people before he went to Laos. I gather yesterday he said he wasn’t aware he had it with him until after he got there, but he was handed it personally by Mr. Roderick O’Connor. So we were not trying to deceive him, and you on the report had the same facts going to the survey.

Senator Fong. Would you set forth the circumstances relative to your giving him the summary of the report?

Mr. Sullivan. I didn’t personally give it to him.

Senator Fong. Did he ask for it?

Mr. Sullivan. I think it was voluntarily given, wasn’t it? He said he didn’t know he had it, so I assume—
Senator Kennedy. Maybe that was the summary that was supposed to go to our committee.

Mr. Sullivan. It was indeed.

Senator Fong. Representative McCloskey said he unearthed it in Vientiane and you say that you gave it to him before he left.

Mr. Sullivan. I think there are three separate documents we are talking about here, Senator. One was the summary of the report that Senator Kennedy has been speaking of. That was given voluntarily to Mr. McCloskey before he left. He apparently was unaware he had it with him. When he went to Laos he then asked for the more detailed report of which this was a summary. That was provided to him by Mr. Stearns who is here now. If you wish to go into the details of that, Mr. Stearns—

Senator Fong. Mr. Stearns, there was an implication also that you gave him a report one day and then on the next day he received the other report.

Mr. Stearns. Yes, sir. The report, having been prepared for the internal use of our mission in Vientiane in July of last year, and not having been discussed with the Lao Government at that time, we felt while the substance of the report should certainly be turned over to Representative McCloskey, that simply the heading and classification which we had given it should be removed and I did that. The heading removed simply said, "To the DCM, Mr. Stearns, from Public Affairs Officer, Mr. Barnes," with the subject. The classification of one of the reports was "secret" and the other "confidential." But this is simply because they were internal documents. They were not documents we had prepared with a view to publication.

Senator Fong. He seemed to imply there was a reluctance on your part to furnish him the report or reluctance on the part of the Embassy to give him the report.

Mr. Stearns. No, I don't think so. We knew Congressman McCloskey had been given a summary and he knew of the report and we had in fact decided before his arrival not to withhold them should he request them. In fact, the day before his arrival I had asked the officer in USIS who had prepared the reports to come to my office and to compare the summary with the original report. I wanted to be absolutely sure the summary was accurate in the event the Representative wanted the full report. When Representative McCloskey asked for the full report the day after he arrived, I turned over the copy to him. I wasn't sure whether it was our only copy. The second of these two reports, the so-called Ban Xon Report, took longer and I plead guilty to bad filing rather than bad faith. We did, however, turn it over within a matter of about 8 hours.

Senator Fong. He told this committee that you didn't know the State Department had turned it over, so there was reluctance on your part.

Mr. Stearns. No, we were aware.

Senator Fong. There was no hesitation.

Mr. Stearns. There was a certain amount of fumbling in getting hold of the second report. We had decided to give him the full text of both reports before he arrived.

Senator Fong. Thank you.
Senator KENNEDY. You may start now, Ambassador.

Mr. SULLIVAN. Thank you, Mr. Chairman.

Mr. Chairman, in addition to the gentlemen you have identified as appearing with me today, I have also Mr. Thomas J. Corcoran, who particularly concerns himself with Cambodia, Mr. Jack Williamson, USAID/Laos, one of the people involved in our work there, and Dr. Patricia McCreedy, who is the Public Health Service and works with refugees; and Mr. Edward Archer, who has recently returned from Laos and the man in the mission both under myself and Ambassador Godley who concerned himself with assuring that the air strikes in Laos were conducted in accordance with rules of engagement and who did the staff work for the Ambassador on these matters.

With your permission, I would like to read a brief prepared statement covering both Laos and Cambodia on behalf of all the witnesses present. We are then prepared to answer questions. I would like to start with a discussion of Laos, where the refugee problem is heavier and where the United States plays a direct role in support of refugee activities. I will end with several paragraphs devoted to the refugee situation as best we know it in Cambodia.

It has often been stated that Laos is a victim of its geography. The assumption is made that Lao territory has been the scene of military activity because North Vietnam sends its logistics and its manpower down the Ho Chi Minh Trail in Laos in order to attack South Vietnam and Cambodia. This is partly true and it is a fact that the heaviest concentration of North Vietnamese forces in Laos is located in the southeastern panhandle region of Laos where the Ho Chi Minh Trail runs. This is also the locus of most United States military activity in Laos. About 80 percent of the air sorties flown by United States air power are concentrated in this area.

However, this is not a populated area of Laos. Even before military activity began there our information indicates that no more than 8 or 9,000 hill tribe people lived in the area which is traversed by the Ho Chi Minh Trail and affected by our bombing operations against that trail. Almost all of these original residents have long since left the area and it is today, for all practical purposes, unpopulated except by the North Vietnamese military forces, their engineering and logistics auxiliaries and the porters whom they use in the operation of the Ho Chi Minh Trail. Therefore the area of Laos which is subjected to the most intense, military activity is not an area which is of direct concern to us in examining the question of refugees.

The refugees in Laos are those who lives have been disrupted by the other war in Laos, which has nothing to do with military operations in South Vietnam or Cambodia. This other war is a war which represents the ambitions of the North Vietnamese to extend their control over their peaceful Lao neighbors. The North Vietnamese have fought this war over the years at a pace and priority which is clearly secondary to their principal focus in South Vietnam. However, they have committed a significant number of their own forces to this effort and have been aided by tribal people from
northern and southern Laos in association with a very small number of ethnic Lao who are political dissidents. There is very little ideological content to this war and to most of those who are caught up in it on both sides, it does not represent political or social issues; but rather a continuation of the age-old expansionist tendencies of the North Vietnamese against their Lao neighbors.

Senator Kennedy: Can we conclude from this that there is really not much to this popularly talked about concept of refugees fleeing communism? I mean; we can't have it both ways.

Mr. Sullivan. I think in the case of these refugees, they are not fleeing an ideological system, they are fleeing North Vietnamese. The ethnic quality, I think, is much greater than the ideological one. There is not in the fighting that goes on in Northern Laos really an ideological context. So I wouldn't say that the peasant who is fleeing is fleeing what is considered communism. He is fleeing a harsh system imposed on him by the North Vietnamese if they take over this area.

This war has been fought through most of its years along the hills and ridgelines of north and northeastern Laos. Until about 3 years ago it had a seasonal seesaw pattern which was governed largely by the monsoons. North Vietnamese units usually entered as shock troops in the dry season, pushing the Lao and Meo defenders westward. The North Vietnamese generally retired back to their own territory during the rains and much of the terrain they held at the end of the dry season was usually recaptured, mostly by Meo guerilla activity. In the dry season fighting the North Vietnamese forces who were operating on unfamiliar terrain, usually operated in conventional pattern along the road network, and in the valleys, attacking hill outposts from which Meo defenders generally melted away when they were outmaneuvered and outgunned. So long as this pattern obtained and there was a buffer of land between the North Vietnamese and the population, casualties were relatively light and displacements of civilian populations limited. Nevertheless, as early as 1962 there were approximately 125,000 refugees who had moved south westward out of the area of Sam Neua and eastern Xieng Khouang provinces——

Senator Kennedy: Mr. Ambassador, in reviewing your comments, you have said, on page 3 in the middle of the page, "the refugees in Laos are those whose lives have been disrupted by the other war in Laos, which has nothing to do with military operations in South Vietnam or Cambodia."

What then, is the President's authority for waging such a war if it has nothing to do with the war in South Vietnam?

Mr. Sullivan. I think this matter has been examined in other committees.

Senator Kennedy. Sorry?

Mr. Sullivan. This question has been examined in other committees. I don't feel myself a competent witness to discuss the judicial powers, the powers of the President. We could, if you wish, provide a statement for the record of what the President's authority is in this matter——

Senator Kennedy. It couldn't be the Gulf of Tonkin Resolution?
Mr. SULLIVAN. No.

Senator Kennedy. It wouldn't appear that would apply, and as you point out, it couldn't be for the protection of U.S. troops. Because, as you say in your statement, the bombing of Northern Laos has nothing to do with military operations in South Vietnam and Cambodia. So it is a legitimate question, I think, to ask the authority for it, if it hasn't anything to do with protecting American servicemen, their lives or well being, or if, as you say, it has nothing to do with military operations in South Vietnam or Cambodia.

Mr. SULLIVAN. The attacks in northern Laos we do not consider to have to do with the operations in South Vietnam or Cambodia.

Senator Kennedy. I don't see why—they certainly aren't attacking American troops there?

Mr. SULLIVAN. No, there are no American troops there.

Senator Kennedy. American advisers?

Mr. SULLIVAN. There are American advisers in Laos, but they are not being attacked.

Senator Kennedy. Well, you can understand the question then—I mean, it was triggered by your own comment on this, and I can imagine it raises a question in your mind as well as in ours. If you could give us a more extensive comment on that, if you want to submit it later that will be all right.

I don't know whether any of the other gentlemen here would like to make comments on that.

Mr. SULLIVAN. We can submit it for the record, Senator.

Senator Kennedy. All right.

Just in terms of the bombing, when did the United States acknowledge that the bombing actually existed in Laos?

Mr. SULLIVAN. The first public statement to this effect?

Senator Kennedy. Yes; do you know?

Mr. SULLIVAN. I think the first public statement—and I would be willing to be corrected on this—was the statement that the President made in March of 1970.

Senator Kennedy. Up to that time?

Mr. SULLIVAN. Up to that time I don't believe there was an official public statement to that effect.

Senator Kennedy. Even though it had been going on since, as I understand, the early 1960's?

Mr. SULLIVAN. 1961.

Senator Kennedy. 1964. Okay. I will let you go on and then I will come back to that.

Mr. SULLIVAN. Nevertheless, as early as 1962 there were approximately 125,000 refugees who had moved southwestward out of the areas of Sam Neua and eastern Xieng Khouang Province which were controlled by the North Vietnamese and their Pathet Lao auxiliaries. Depending upon the thrust and parry of military operations in northern Laos over the next 6 years, there were seasonal increases to the refugee population and an inexorable displacement of population gradually westward. However, by the end of the rainy season in 1968, the total number of refugees stood at about 128,000, of whom the largest number were the Meo whose men formed the forward defense screen in northeast Laos and whose families had to be cared for by the Royal Lao Government and supported by the United States.

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Beginning with the dry season in the fall of 1968 the North Vietnamese significantly stepped up their military activities in Laos. They increased sharply the number of shock troops that they sent into the country that year and began a campaign to press all the local population out of eastern Sam Neua province and northern Xieng Khouang province. By spring of 1969 they had succeeded in eliminating almost all the Meo outpost north and east of the Plain of Jars. They began reinforcing their positions in the Plain and prepared for an attack across Route 7 to Muong Soui to cut the central highway of Laos which connects the administrative capital of Vientiane and the royal capital of Luang Prabang.

In order to forestall this action and to turn the cutting edge of the North Vietnamese forces, the Commander of Lao Military Region II launched attacks in the late spring of 1969 against the logistics bases and the marshalling grounds of the North Vietnamese forces on the Plain of Jars. By fall of 1969 his units had swept over the Plain and had succeeded in capturing a vast quantity of enemy supplies. Nearly 6 million rounds of ammunition, over 6,000 weapons, 25 tanks, 113 vehicles, and more than 200,000 gallons of fuel were captured in these forays. The net result was to frustrate North Vietnamese offensive against Route 13.

Another result of this action was, however, to convert the Plain of Jars into a battlefield for the first time since 1964. Approximately 200,000 civilians lived in the towns and villages in and around the Plain of Jars. Many of them were caught up in the fighting that swirled around them during the last 9 months of 1969.

As the dry season began in the last months of 1969, the North Vietnamese resumed their attacks throughout Laos. Their efforts were not confined merely to northeast Laos, but extended also into southern and central Laos where they laid siege to the provincial capitals of Attopeu and Saravane. In early 1970, the Royal Lao Forces were pushed back from the Plain of Jars and approximately 17,000 refugees were moved out with them in February and March of 1970.

Senator Kennedy: Mr. Ambassador, just on that point, Secretary Rogers commented last year there were up to 80,000 refugees.

Mr. Sullivan: 80,000 in the general area of the Plain of Jars, most of whom——

Senator Kennedy: That is what you are talking about, we were pushed back from the Plain of Jars, and Secretary Rogers' letter indicated it involved 80,000 refugees.

Mr. Sullivan: That is the very point. Those, other than the 17,000 who came out of the Plain of Jars were people who lived south of the Plain of Jars in the hills and in the valleys removed from the Plain, but because the attack swelled out from the Plain into their areas, they also were moved. But the group that came from the Plain of Jars proper were only 17,000. The rest of them were people living south of the Plain and west of the Plain.

Senator Kennedy: Well, what happened to the others?

Mr. Sullivan: In this particular period we moved to the west and to the south. Some of them, as the tide of the war ebbed, went back into the areas, for instance the valleys near Long Tieng—and others have stayed in refugee status and refugee camps in the Vientiane Plain, but still south and west of the Plain of Jars.
Senator Kennedy. How many people used to live on the Plain of Jars?

Mr. Sullivan. In the period that we are talking about here?


Mr. Sullivan. About 20,000.

Senator Kennedy. 20,000?

Mr. Sullivan. In early 1970 the Royal Lao forces were pushed back from the Plain of Jars and approximately 17,000 refugees were moved out with them in February and March of 1970. The North Vietnamese attacks at Attopeu and Saravane reached their climax in April through June, and another 15,000 civilians were displaced in those areas.

By the time the dry season had ended in the early summer of 1970, the North Vietnamese and their Pathet Lao auxiliaries stood in control of a broad new band of territory stretching from the entire Plain of Jars in the north to the Bolovens Plateau in the south of Laos. During the course of this military campaign, a total of about 150,000 persons were displaced by this North Vietnamese offensive and moved westward as charges of the Royal Lao Government, supported by the Government of the United States.

In the 1970–71 dry season, North Vietnamese military pressures began again. This year their offensive has been directed not only against Lao Government positions south of the Plain of Jars, but against the royal capital of Luang Prabang in the north. Once again the North Vietnamese have augmented their forces in Laos. They brought back the 312th Division and both the 312th and the 316th Divisions are fighting in northern Laos at the present time. They have enhanced their firepower and have kept a steady artillery and rocket pressure on the forward outposts and ridge lines held by the Meo defenders. Once again these actions have caused the westward movement of civilian populations and have created new refugee communities.

In this long, unhappy history of North Vietnamese aggression against Laos from 1962 until the present time, over 700,000 residents of Laos have been displaced at least once, and at some time or other, have been on the refugee rolls. There are currently approximately 309,000 residents of Laos who receive refugee assistance of one sort or another. Of these 309,000 people, 120,000 are the families of Lao Government forces—most of whom are Meo—169,000 come from friendly areas from which they were pushed westward by the North Vietnamese, and 20,000 come from areas controlled by the North Vietnamese and Pathet Lao.

It is therefore very clear that the prime cause of these refugee movements to the west has been the constant military pressure of the North Vietnamese. By an examination of the numbers of refugees listed on the rolls at any one time, it can be seen that there is a very close correlation between military activity and the generation of refugees. We will submit for the record a map showing the current location of refugee centers, the population in each, and an indication of the areas from which they have been driven. (See exhibit A.) Again the correlation between displacement and North Vietnamese military activity will be clear.
Senator Kennedy. This is the point I was driving at, Mr. Ambassador, when I asked you about the number of people that inhabited the Plain of Jars. On page 11 of your statement you point out that:

As previously indicated, this lengthy struggle for the Plain of Jars which eventually resulted in its control by the North Vietnamese, resulted in the westward movement of some 17,000 people out of the total of approximately 150,000 people who were forced to move westward during that North Vietnamese offensive in the same period.

It is my understanding—and I might be wrong—that in terms of the Plain of Jars we are talking about anywhere up to 150,000 people in that general area, aren't we?
Mr. SULLIVAN. No, Senator. There are only really three significant population centers on the Plain of Jars itself, and these were the main population centers.

Senator KENNEDY. How about Long Tieng?

Mr. SULLIVAN. Long Tieng is not on the Plain of Jars proper. There are about three large mountain ridge lines between the edge of the Plain of Jars and the area where Long Tieng starts. I am sorry we don't have a topographic map.

There has been much concern expressed about the exact causes for refugee movements. In some instances the cause is quite clear and quite simple; The North Vietnamese, not trusting the civilian population, drive them out ahead of their forces rather than attempting to capture and control them. This has been particularly true of the Meo population north and east of the Plain of Jars. In other instances, the civilian population themselves, having experienced or knowing the reputation of life under the North Vietnamese and the Pathet Lao, have chosen to flee rather than submit to that sort of regime. In still other instances the constant pressure and menace of warfare have caused the people to move from their homes and accept refugee status. And finally, in a small number of cases, the Lao Government has moved the civilian population as a result of its own decision, in order to remove them from the path of battle.

I believe I should say something about the role which air attacks have played in this whole tragic picture. It has been suggested that air attacks have been the primary cause of refugee movement, or even that air attacks have been deliberately mounted in order to create refugee movement and to deprive the North Vietnamese and the Pathet Lao of human resources represented by the refugees. It has, for example, been suggested that, as a result of the cessation of U.S. bombing over North Vietnam in November of 1968, a vast increase of airpower was applied to northern Laos and resulted in the increase of refugee movements in that part of the country.

The facts do not bear this out. There was a significant shift of U.S. airpower from North Vietnam to Laos after the cessation of bombing in November 1968. However, this shift was almost exclusively to the area of the Ho Chi Minh Trail where sortie rates were very significantly and sharply increased immediately after the cessation in North Vietnam. As I have indicated previously, there is no Lao population along the Ho Chi Minh Trail and therefore this augmentation of sorties in that area had no relationship to the generation of refugees. As a matter of fact in North Laos the sortie level continued almost exactly as it was from November 1968 through February and early March of 1969. It was only in late March of 1969 and subsequently through the military campaigns which rolled over the Plain of Jars from then until early 1970 that there was an augmentation of air activity in northern Laos. This air activity was directly associated with the ground operation that had erupted on the Plain of Jars.

As I previously indicated, this lengthy struggle for the Plain of Jars which eventually resulted in its control by the North Vietnamese resulted in the westward movement of some 17,000 people out of the total of approximately 150,000 people who were forced to move westward during that North Vietnamese offensive in the same
period. These 17,000 were unfortunately caught up in the very center of major military activity, both ground and air. This sort of fighting was an unusual exception to the normal pattern of military activity which has prevailed over the past several years in the north of Laos.

The normal activity in northern Laos, as I have earlier indicated, consists largely of small units sparring for control of logistics routes and terrain features. The function of air activity in this type of warfare has been quite specialized. The greatest number of U.S. air sorties on a daily basis in north Laos have been flown on route reconnaissance and interdiction missions. They have expended their ordnance either against moving vehicles on the roads or against choke points and known military storage areas. Because these roads run in the valleys away from hill settlements, the greatest proportion of these sorties do not impinge upon areas of civilian population.

Similarly, in the south along the Ho Chi Minh Trail where the greatest proportion of U.S. daily sorties are flown, there are no inhabited areas in the zone of operations.

In normal circumstances there are only a few U.S. aircraft a day that operate in areas of Laos where there is a danger of impinging upon inhabited locations. Whenever there is a request, from whatever source, for sorties of this type, they are carefully examined in advance by the Embassy in Vientiane, and the strike has to be personally approved by the Ambassador. These rules of engagement, which are designed to protect the civilian population, have been in effect since 1965 and, with respect to this safety feature, have not been altered.

I go into this detail, not because I am trying to suggest that no civilian casualties have ever resulted from U.S. air operations, but in an effort to demonstrate the care that is taken to minimize the effect of U.S. air operations upon civilians. It is true that certain civilians have been caught up in military operations in which U.S. airpower was a component part. We have 17,000 refugees from the fighting in the Plain of Jars in 1969 and 1970 as testimony to that fact. They are, however, a decidedly exceptional group in the overall total of 700,000 refugees who have moved westward in the face of North Vietnamese pressure over the past 10 years.

I know that you and your staff are most interested in hearing about the assistance which the United States has been providing to the refugees in Laos and the arrangements for their welfare. Mr. Meinecke, Mr. Williamson, and Dr. McCready are prepared to answer your questions on this subject. However, before turning to them I would like to finish my testimony with a few comments on the refugee situation as we know it in Cambodia.

Senator Kennedy. Well, should we first talk a little bit about Laos before we get to Cambodia?

In reviewing your comments, like on page 10, where it says:

It has been suggested that air attacks have been the primary cause of refugee movement, or even that air attacks have been deliberately mounted in order to create refugee movement and to deprive the North Vietnamese and the Pathet Lao of human resources represented by the refugees.

Of course, you kind of dismiss that, and yet, you know, we have USAID field memorandum that indicates refugee evacuations are planned so as to prevent people from being captured by the Pathet
Lao or North Vietnamese or being used as porters, to give people a chance to live under the government's school system and brought up as "loyal citizens of Laos." We have a series of official memos that we can include in the record that talk about the strategic movement of refugees.

So it isn't unreasonable to assume that many people feel that this is a reason for refugee evacuation. You may dismiss it and say "there are those who believe" we are doing this for this reason; yet it is also part of USAID's official memoranda.

Mr. SULLIVAN. But it is a quantum jump between saying refugees should have an opportunity not to be put in service as porters, to saying that we are using bombing to permit them to escape that service. I am not saying in my comment on page 10 that we are; what I am saying is that it has been suggested that air attacks have been deliberately mounted in order to create refugees.

Senator KENNEDY. Who has made that suggestion?

Mr. SULLIVAN. I thought there was testimony to that effect before this committee yesterday.

Senator KENNEDY. I was here. I don't remember that testimony. You can look through the record.

But it has been suggested, as you say here, that refugees should be moved in order "to deprive the North Vietnamese and the Pathet Lao of human resources represented by the refugees." For example, in a USAID memorandum, point number six, it says moving the people" will deny the enemy control over the civilian population of villages under Communist forces." So we begin to understand ourselves what you have suggested in your own memorandum;

Mr. SULLIVAN. I don't think our memorandum suggested we are conducting bombing in those areas.

Senator KENNEDY. We have here a series of alternatives giving eight different considerations in a USAID Field Memorandum (drafted prior to the loss of the Plain of Jars last year) which in point six says moving refugees will "deprive the North Vietnamese and Pathet Lao of human resources." You have it right here as at least one of the considerations.

Mr. SULLIVAN. One of the considerations for mounting air attacks, Senator?

Senator KENNEDY. That is right; that's one of the implications that can easily be made, isn't it?

Mr. SULLIVAN. I am afraid I can't draw that conclusion.

Senator KENNEDY. Well, forced evacuation, strategic movement of the population; isn't that one of the strategic considerations?

Mr. SULLIVAN. For air bombings?

Senator KENNEDY. In the bombings.

Mr. SULLIVAN. No, sir. There is a humanitarian factor which I think is quite implicit in that memorandum.

Senator KENNEDY. How about mass evacuations?

Mr. SULLIVAN. How about what?

Senator KENNEDY. Mass evacuations. Are you familiar with any USAID memoranda that have been prepared that talk about the pros and cons of mass evacuations of refugees?

Mr. SULLIVAN. In Laos?

Senator KENNEDY. That is right.
Mr. SULLIVAN. I am not.

Senator KENNEDY. Well, there have been.

How about January 22, 1970? We are not just talking about this—it is right here. We have the document right here. I will just read from this USAID document which discusses the pros and cons of mass evacuations, one point of which is that it will deny the enemy control over the civilian population of villages and their service under Communist forces. I don’t think you are prepared to deny you are moving groups of people—creating refugees—to deny them as a strategic resource to the Pathet Lao, are you?

Mr. SULLIVAN. I think the key word is the question of creating refugees. I haven’t seen this memorandum that you are reading from, but I don’t believe it would be the sense of this committee or others who look at this problem to suggest that it would be preferable for these refugees, for instance, the Meo tribal people, to be taken under North Vietnamese control and pressed into service as porters. Now, the difference between a determination on whether that is preferable or movement of these people when they appeal to be moved seems to me a perfectly reasonable thing for a memorandum of this type to address. But to jump from that to suggesting there is deliberate bombing in order to make the move—

Senator KENNEDY. That is what I am addressing; you say there have been no such moves, but we have had testimony to that question.

See, the problem is you seem not to be aware of these memoranda. It is a secret war and people don’t know what’s going on over there. I will accept—and this is not any kind of criticism—that you are not aware of these various memoranda. Whether they are summarized or included in briefing books or not included in briefing books—I suggest people really don’t know what is going on, nor the reasons for it.

Mr. SULLIVAN. It may be a secret, but apparently that has been provided to your staff, I assume. Has it?

Senator KENNEDY. Well, we got access, it isn’t a secret document.

Mr. SULLIVAN. I do have with me, Senator, I am told the man who has great personal acquaintance with this memorandum, Mr. Williamson, who has been engaged in this whole humanitarian task of dealing with refugees.

Senator KENNEDY. I see. Well, I will just mention one other point.

You see, point number five of this memo, which talks about the mass evacuation from the Plain, says that such refugee evacuation “would clear the Plain for unrestricted military strike operations.” That suggests to me bombing. Does it to you? If people don’t move they are going to get bombed, it is as simple as that, isn’t it?

Mr. SULLIVAN. I have said in my statement that there have been some deliberate decisions—let me quote you what I said: “In a small number of cases the Lao government has moved the civilian population as a result of its own decision, in order to remove them from the path of battle.”

Senator FONG. That is not secret.

Mr. SULLIVAN. It is humanitarian.
Senator FONG. That has been in the newspaper. We have evacuated these areas.

Mr. SULLIVAN. That is always one of the cardinal principles in our Western society—moving civilians out from the scene of battle in order to get them away from military activity. But I think the thing that is important to understand is that under the so-called people's warfare, that the Chinese and North Vietnamese have introduced, they deliberately use the civilian population the way former military commanders used terrain. In other words, it is their intent to seize a population group in order that it can provide them a military shield. They talk of the water and the fish swimming in it—and so forth. This is their purpose. When there is an effort to move people to get them out of the path of battle, I can't find it wrong; I think it is humanitarian.

Senator FONG. This has appeared in the papers from time to time.

Mr. SULLIVAN. Yes, it has.

Senator FONG. So there is nothing secret about it?

Mr. SULLIVAN. No. I think they did a film of this whole refugee movement. I think it was distributed here in the United States.

Senator FONG. To evacuate people from the path of a battle would be the humanitarian thing to do.

You anticipate there are going to be hostilities there so you evacuate the civilians. That is the humanitarian thing to do, isn't it?

Mr. SULLIVAN. We would think so.

Senator KENNEDY. But this illustrates the point that we have been talking about—it reinforces the point that the people are caught up in this—the people are moved, shifted, dislocated, denied their homes; they are the ones that have to be moved out.

If they are not moved out then they know they will be bombed out. They are moved out because you want to deny them as porters to the other side. Their interests, it would appear to me, have been put in a very low priority.

Mr. SULLIVAN. I think it is of interest to a man not to be pressed into service as a porter. I think that is one of the motivations why these people have come west rather than go east.

Senator KENNEDY. We have heard rather dramatic testimony to the contrary—in your own survey—as to the reasons refugees are created in Laos. Then you say it is exceptional.

Mr. SULLIVAN. It is.

Senator KENNEDY. Everything is always an exception or a small number. How do you respond to this observation that when Pathet Lao soldiers enter a village and press men to fight for them a month or 2, carrying goods on their back or face Communist retaliation for refusal? This is the problem I think that the people in Laos are caught up in—a squeeze from both sides.

Mr. SULLIVAN. Were you reading from a memorandum?

Senator KENNEDY. No. But how do you respond to that observation?

Mr. SULLIVAN. The response is the one that I gave, which is that if people are civilians deliberately captured by the North Vietnamese there is an effort on the part of the North Vietnamese in the type of war they are conducting to use those people as a shield and protection against military retaliation.
Senator KENNEDY. Like we have done with Meo tribes? Haven't we done that with the Meo tribesmen?

Mr. SULLIVAN. No, I think we made it quite clear that the civilian population of the Meo have been moved west. The Meo men have been out on the ridgeline trying to form a buffer and protector.

Senator KENNEDY. What happens if the civilians don't cooperate? What kind of retaliation do the Pathet Lao take?

Mr. SULLIVAN. I don't think most civilians have an opportunity not to cooperate if they are actually caught.

Senator KENNEDY. Is it indicated, then, if they do serve as porters, that their village becomes an enemy village?

Mr. SULLIVAN. There is no such thing as an enemy village.

Senator KENNEDY. Is there an "unfriendly village."

Mr. SULLIVAN. There is no such thing as an unfriendly village. There are inhabited villages or military installations, but no villages qualified as being friendly or unfriendly.

Senator FONG. To get the record straight, Mr. Ambassador, how many villages are there in Laos?

Mr. SULLIVAN. Well, that is a very difficult thing to assess. I would say there have been, roughly, 11,000 villages in Laos. But, particularly, when we talk about North and Northeast Laos, we are talking about hill people who are nomadic. They have a slash and burn economy. They move into a hill area, and they build relatively flimsy housing. They stay here for 2 or 3 years while they are cutting the forest around that area, in order to fertilize the soil. They will grow rice in what they call their high areas. After about 3 years, that soil is fallow, so these people move out of that village and establish another little village on some other hill where there are trees and land that hasn't grown fallow. The village they will leave behind will probably collapse under the monsoons because of the heavy rains and the sun beating on a village that is untended.

So at one time I suppose there are 9 or 10,000 villages that are occupied by people in Laos, but there may be many others that have been abandoned. All over Northern Laos you see abandoned villages which are in various states of disrepair.

Of course, as the refugee movement shows, many of those villages have been abandoned and people have come west.

Senator FONG. What percentage of the villages are under Royal Lao forces?

Mr. SULLIVAN. About 9,000 out of 11,000.

Senator FONG. So about 2,000 or 3,000 are in hostile hands?

Mr. SULLIVAN. In the west and north, yes. The bulk of the population of Laos—

Senator FONG. What is the policy of the Royal Lao Government relative to movement of their people in hostile territory?

Mr. SULLIVAN. Well, as I indicated earlier, the nature of the war has been such that there has been very little incursion by the Royal Forces into hostile territory, where they could afford movement to people. The two instances of which I am aware are of the 17,000 that came out of the Plain of Jars and 3,000 or so who came out of Mueng Phine in the south. In both those instances, the Royal Lao Government decided that it was better to move those people. I imagine that there may have been a few who are moved against
their will, although Mr. Williamson, who was present during the movement from the Plain of Jars, told me that that was not the sentiment at the time. A small group of difficult refugees probably were reluctant to move. Many of their young men are still serving with the Pathet Lao forces. They probably have some ties with the North Vietnamese and with the Pathet Lao.

Senator Fong. Are these people moved by American orders or Royal Lao Government orders?

Mr. Sullivan. Royal Lao Government; our people have participated, but only by request.

Senator Fong. In other words, if the Royal Lao Government wishes to move these people because of the hostility, they would ask the American Government for assistance.

Mr. Sullivan. A great many of these people are moved long before they get any orders from the Government. They move on their own volition and their own feet. They walk out ahead of the North Vietnamese Forces. In the instances we talk about, like the Plain of Jars, they were taken out by U.S. aircraft at the request of the Royal Lao Government.

Senator Fong. Since we are on this—

Senator Kennedy. I would like to, if I could, get back to where I was with the Ambassador on the question of friendly and unfriendly villages.

Mr. Ambassador, I have just read this observation which was made about the alternatives available to the people in Laos; either they are going to cooperate and serve as porters or, if they do, they may become the targets of military activity by the Royal Lao Government. If they do this, they become an unfriendly village.

Now, do you suggest that you don’t label villages? Don’t you label some friendly, some unfriendly?

Mr. Sullivan. I am not aware of any labeling of villages done in any of our operational orders or memoranda.

Senator Kennedy. We asked last year about accidental bombings and you talked about the accidental bombing of friendly villages, which would suggest if you have friendly villages, you have unfriendly villages. Or is everybody a friendly village?

Mr. Sullivan. I have never seen a village labeled as unfriendly.

Senator Kennedy. What about those in Pathet Lao areas? Are they friendly?

Mr. Sullivan. If they are inhabiting a village, they are not a military target.

Senator Kennedy. They are considered to be friendly; are they?

Mr. Sullivan. We just don’t have any label that calls them unfriendly.

Senator Kennedy. Well, you don’t have any label that calls them friendly either; do you?

Mr. Sullivan. Oh, yes; but you have been asking me if we have a label that calls a village unfriendly or enemy, and I say we don’t.

Senator Kennedy. What about the comments of Congressman McCloskey yesterday about his conversations with Air Force personnel that they couldn’t find any standing villages in the Pathet Lao area?

Mr. Sullivan. I thought he said along the roads.
Senator Kennedy. Well, all right.

Mr. Sullivan. These are hill people; they live in the hills. The roads run in the valley.

Senator Kennedy. But those buildings are knocked down. Why were they put up? For people to live in, I imagine.

Mr. Sullivan. I am not sure there were any villages along the roads. I thought he said that the men who flew route reconnaissance along the roads have not seen any villages near the roads.

Senator Kennedy. Well, aren't the villages in the Plain of Jars virtually destroyed?

Mr. Sullivan. Some of them are. I think Mr. Doolin brought some photos here.

Senator Kennedy. Weren't nearly all of them destroyed?

Mr. Doolin. Mr. Chairman, Congressman McCloskey was told by an aerial reconnaissance pilot on the 13th of April, and I quote:

I have flown over a lot of river valleys in Northern Laos these past months, Mr. Congressman, and I haven't seen any villages along LOC's (line of communication). There just aren't any villages in Northern Laos any more, or in Southern North Vietnam either, for that matter.

That statement is incorrect. I have some photographs here, should you wish to view them.

Senator Kennedy. Those were made available to Congressman McCloskey, too?

Mr. Doolin. Sir, I have got these out of our files and I have sets of them here for Congressman McCloskey and members of your sub-committee. (See appendix I.)

Senator Fong. Does your record show the Embassy was willing to take RepresentativeMcCloskey on a plane ride to look at these villages?

Mr. Sullivan. I think Mr. Stearns was there at the time of his visit.

Mr. Stearns. Yes, sir; we proposed at the Ambassador's dinner party on the evening of April 13—which was a rather long and confusing dinner party, I warrant—that it would be possible to fly over Attopeu in the south, which had been in Pathet Lao hands for the past year, and also to positions north of the Plain of Jars.

Senator Fong. And he declined; is that correct?

Mr. Stearns. He declined; yes.

Senator Fong. I asked him that question yesterday and he said he was never offered an opportunity for such inspection.

Senator Kennedy. Well, my recollection isn't to that effect. It seemed he wanted to go in a designated area that was considered unfriendly—an enemy area—and his request to travel in that area was denied.

Senator Fong. I think I asked him a very specific question relative to photographs. Would you read that to us?

Senator Kennedy. Could I just get a response on this and then I will yield—then we will go to the photographs?

In terms of transportation, as I remember his comment, he asked to go in a designated area that was considered unfriendly and that request was denied.

Mr. Stearns. Mr. Chairman, he requested to go over the Plain of Jars to see some of the sites you just mentioned, and that was denied because of anti-aircraft and the danger of doing so.
Mr. DOOLIN. We don't have the transcript, Senator, unless it was in his prepared statement.

Senator FONG. I asked a very specific question of denied photographs and of your offer to fly him over these places, and he said he was not made that offer.

Mr. DOOLIN. I note that he did have in his statement, Senator, that after he had talked to General Evans at Udorn AFB, that he was advised by General Hardin at the 7th Air Force that General Clay, the 7th Air Force commander, had decided that Congressman McCloskey should make a formal request to the Department through legislative liaison at the Pentagon. We have the photographs for Congressman McCloskey.

Senator FONG. I distinctly remember that I asked him these questions. If my recollection is correct, I asked him if he was offered a flight over the Plain of Jars in the site 50 to site 32 areas and a trip to go on to Northern Laos to see refugees in that area; also if he was offered the opportunity to fly over the city of Attopeu in Southern Laos which had been in enemy hands for almost a year. All of these proposals were designed to show the Congressman many towns and villages in enemy-held territory have not been damaged by bombing. He turned down all of these proposals. I asked him whether these offers had been made to him, and he said he wished to know who said this, and that it was not true. I think that was the testimony.

Mr. SULLIVAN. I think Mr. Stearns has just said—did you make the offer?

Mr. STEARNS. Yes, sir; I did.

Senator KENNEDY. Well, just for clarification, as I remember—and I haven't got the transcript here—but I think we are talking about nothing. It seems that Congressman McCloskey was offered a trip of some description. I don't know whether it was this particular trip. He indicated he also made a request to travel in a different area and that it was denied. As I remember his testimony, I don't see anything inconsistent. They have indicated here that the trip was made available and that the Congressman indicated they did do that, but that he wanted to go elsewhere.

Senator FONG. No; I think the Congressman said that he was never offered this, although I do remember that he said he was denied going to a certain place where he wanted to go.

Senator KENNEDY. Mr. Ambassador, could I just get into some other area, if you will be kind enough?

As you are aware, the GAO points out that in our aid effort in Laos, that up to 50 percent of certain programs go to the CIA's paramilitary effort. And we have heard Mr. Hannah, the Director of AID, indicate that he doesn't approve of this kind of policy. We also have memoranda that indicate, even from the people that are in contact with the Royal Lao Government, that they have very serious reservations about it. Can you give us any information whether that still continues?

You can understand our frustration when a program that has been labeled a humanitarian program is being used as a cover for the CIA. Obviously, this is distressing to us. I would like to know whether this is going to continue.

Mr. SULLIVAN. I think Mr. Meinecke has a statement on that.
Mr. MEINECKE. In February, Mr. Chairman, you sent to Dr. Hannah of AID three GAO reports on Laos and requested comments.

Senator KENNEDY. Would you speak up?

Mr. MEINECKE. In his acknowledgement, Dr. Hannah said we would comment on these reports as soon as our review had been completed. You will receive those comments very shortly, as I have indicated earlier this morning. I would like to summarize very briefly these for you now.

Your letter stressed, particularly, your concern regarding GAO findings on AID assistance to paramilitary forces and their dependents in Laos. As the report shows, there had been shifts of assistance in this area, and as a result most such assistance had been transferred to non-AID financing prior to the GAO report. During this fiscal year, our mission—and we have examined the program in order to identify any remaining costs which could be reasonably considered to fall in this area, and shift them to non-AID financing as soon as practicable.

I can report to you now that with one shift made during 1971 and others that will be effective at the beginning of 1972, all AID financing with which you have been concerned, will be terminated. Our written comments in the final report will show you the specifics.

Your letter expressed also the apprehension that our program showed a lack of humanitarian concern. I would like to stress that nothing in our AID program has a higher priority than helping refugees. To illustrate, I would like to comment on Lao refugee centers and health facilities. If you will recall, this is one of the matters you mentioned in the press release on the GAO report.

It is, of course, humanly impossible to have good and healthful living conditions immediately in an area to which large numbers of refugees have to be moved suddenly or to avoid inadequate medical facilities in the face of a sudden influx of people needing emergency health care.

Our mission, however, does all it can with the cooperation of the Royal Lao Government to remedy unsatisfactory conditions as quickly as possible.

Senator KENNEDY. So as I understand the substance of this, you are going to halt the policy of using USAID refugee support for CIA?

Mr. MEINECKE. Paramilitary assistance—that has all been transferred, or will be transferred, by the end of this fiscal year.

Senator KENNEDY. May I ask something about bombing?

Mr. FONG. Before we get to that, Mr. Chairman, may I ask something about bombing?

Senator KENNEDY. We haven't gotten to bombing yet——

Mr. FONG. Mr. Ambassador, on April 18, on nationwide television, the charge was made that the United States is pursuing a program of deliberately destroying Laotian villages, and that we have destroyed thousands of them. Would you please comment on these charges?

Mr. SULLIVAN. I think the statements I have made previously—those in my written statement and in answer to questions—anterior to that, Senator. The policy of the United States is deliberately to
avoid hitting inhabited villages and the efforts that we have described here as attempting to keep those villages from being caught up in the war are an indication that this is not an accurate description of our policy.

Senator Fong. The assertion that thousands of villages have been destroyed; is that true?

Mr. Sullivan. I think that hundreds of villages in Northern Laos have probably been destroyed in the course of this war, but the bulk of them by ground fighting. Many other villages have been abandoned and, as I say, they collapse in the course of another 1 or 2 years after they are abandoned, so there are a great many villages in Northeast Laos, which are no longer standing.

But I would not say—I am not sure how you phrase that wording that they have been deliberately destroyed?

Senator Fong. Yes.

Mr. Sullivan. No, that is not true.

Senator Fong. The assertion has been made that as long as you were Ambassador in Laos, meticulous steps were taken to try to protect Laotian villages, that after you left the rules were changed by President Nixon and Ambassador Godley, allowing villages to be destroyed by U.S. bombing.

Mr. Sullivan. That is not correct. The same rules of engagement as I indicated in my testimony have been applied as far as the protection of villages is concerned since 1965. In fact, Mr. Archer, who worked both with me and Ambassador Godley, over the same period, was the man that was primarily responsible on the staff of overseeing that.

Senator Fong. The charge has also been made that we destroyed villages deliberately to deny the enemy food and help. Could you comment?

Mr. Sullivan. I think we went into that in some detail in the earlier exchange with the Chairman. Some of the villages in the Plain of Jars from which these people were removed, were villages that were caught up in the war and which were destroyed, after the population had left the village. In other words, when the North Vietnamese had captured some of those areas they were subjected to attack and there were villages very badly damaged in that area.

Senator Fong. Do you know of any village deliberately destroyed because we were trying to deprive the enemy of food and help.

Mr. Sullivan. I know of no villages that have been destroyed.

Senator Fong. Thank you.

Senator Kennedy. Are you aware of the various increases, of a four-phased increase in bombing during the 1960's in Laos, Mr. Ambassador? As I understand—and this is not in the Ho Chi Minh Trail area—but from May 1964 to 1966, bombing was mostly sporadic carried out by Laotian T-28's largely against troop concentration. Between 1966 and early 1968, targets began to include enemy-held or threatened villages and towns, and U.S. aircraft became increasingly prominent: Approximately 1968 to 1969, shortly after the partial bombing halt over North Vietnam in March, bombing began to be conducted on a more regular basis. The current phase began in early 1969, following the complete bombing halt over North Vietnam.
Do these appear to you reasonable descriptions of the escalation of bombing over Laos?

Mr. SULLIVAN. No, sir, not precisely. I think the first two, you called them phases... 

Senator KENNEDY. Whichever word you want to use.

Mr. SULLIVAN. The first two categories that you have described do reflect pretty much the situation that existed. At the current moment, for example, the sortie rate in Northern Laos by U.S. aircraft is not much different from what it was in 1967, 1968. There was a period, and I described it in my statement—

Senator KENNEDY. What about 1969 and 1970?

Mr. SULLIVAN. 1969 and 1970, during that whole period of fighting across the Plain of Jars, there was quite a considerable increase in the targeting in Northern Laos.

Senator KENNEDY. Now, it is down a little. What we are trying to get on the record now—well, then you have described it. What you are saying now is that the bombing is the same as in 1968—

which conveniently leaves out 1969 and 1970.

Mr. SULLIVAN. I describe in my formal statement that up until the dry season which began in the late calendar year of 1968 there had been limited sorts of warfare in Northern Laos, forays, thrusts against hill positions and so forth. In late 1968, into the dry season of 1969, the North Vietnamese brought two full divisions, 312, and 316, into Northern Laos. They changed the pattern of warfare. Responsive to that, there was a sharp increase in military ground activities that took place over and around the Plain of Jars. Accompanying that increase, there was a sharp increase in air activity. That ended with the fall of the Plain of Jars and the collapse of the Laos resistance there and the North Vietnamese took over the Plain. After that, the bombing went back to its level and the warfare has been pretty much stabilized but the North Vietnamese still maintain those two divisions on the Plain of Jars.

Senator KENNEDY. But there is an undeniable correlation—you can reach any conclusions that you want to—but we certainly draw ours about the correlation between the escalation of the bombing and the number of refugees.

Mr. SULLIVAN. Escalation of activity.

Senator KENNEDY. Including the bombing.

Mr. SULLIVAN. Let’s remember it was the North Vietnamese that thrust into Laos with their forces which caused the bombing action.

Senator KENNEDY. The point remains that the only survey that has been conducted, indicates quite clearly that these villagers say the bombing has caused the destruction of their towns and villages, yet you have been denying this morning that this has caused the destruction of these villages. The one official survey that has been made demonstrates quite clearly that the reason these refugees moved was because of the air activity and the bombing.

Mr. SULLIVAN. I described the circumstances which led to that survey because this—

Senator KENNEDY. Well, this one, you say, is exceptional—but why aren’t we getting any other kind? Why don’t we take any other kind of survey? The one survey that was taken indicates quite
clearly that the cause for refugees movement was the bombing. We have Congressman McCloskey who has testified here on his visit. Quite frankly, the times I have been there confirm his observations. We have hours of testimony of refugees in South Vietnam in 1968 which suggest anywhere from 70 to 75 percent of the refugees were caused by the aerial activity.

I just don't see how you can eliminate the rather clear correlation—those of your own survey, the comments of Congressman McCloskey, and the evidence that is here—that bombing has a most serious and dramatic effect in the creation of refugees.

Senator Fong. Would the Senator yield?

Senator Kennedy. Not until I have a response.

Mr. Sullivan. Military activity is the direct cause, the prime cause—

Senator Kennedy. Of which aerial activity is a part?

Mr. Sullivan.—of the generations of refugees. I think I attempted to make the statement here on the record that of the 150,000 who were pushed into refugee status in this North Vietnamese campaign, through the dry season of 1968, 1970, 17,000 came out of an area in which there had been U.S. bombing. The rest of them did not. Now those 17,000, one small group that we were concerned about because of their attitudes, indicated that 48 percent of them left their homes because of their fear of bombing. I think that is not contrary to any of our conclusions previously but, certainly, there is a relationship between military activity and the creation of refugees.

Senator Kennedy. Well, we will just let the facts in the survey that was taken, the one survey that has been made available, speak for themselves. For in that survey there is a very clear and persuasive testimony about the cause of the creation of those refugees. Yet you say it is an exceptional group and that you were distressed by their apparent attitude and that is why you surveyed that group.

Mr. Sullivan. That is right. If we took surveys among the entire 700,000 people I think the conclusions would bear out what our estimate of the situation has been.

Senator Kennedy. I challenge that, Mr. Ambassador, with the greatest respect. I challenge that statement. It is my conclusion after the efforts and the work and the review we have done on the creation of refugees, that the bombing in Laos contributes to at least 75 percent of the refugees. I am prepared to rely on your own memorandum for this.

Mr. Sullivan. If you have 20,000 out of 700,000 who came out of an area that was bombed, then those other 680,000 or so, we must assume, did not move because of bombing. They were not in areas that were bombed.

Senator Fong. You mean two reports, Mr. Ambassador?

Mr. Sullivan. There was another report made of another group that was in an area that was bombed, in an area on the Plain of Jars.

Senator Fong. Ban Xon area?

Mr. Sullivan. Ban Xon, yes.

Senator Fong. The second survey, Ban Xon area, was done to provide a basis of comparison for the first report. Only 28 re-
respondents in this group said they had left their homes because of fear of bombing and only seven percent feared death; 50 percent said they left because they did not like the Pathet Lao. Was that a report, a survey made?

Mr. SULLIVAN. This survey was made and also provided to Congressman McCloskey, I believe, and to this committee.

Senator KENNEDY. Are there two reports? Where is the other? Did someone give us a copy of the other report? You seem to have it.

Senator FONG. I asked Congressman McCloskey yesterday.

Mr. SULLIVAN. Was it given yesterday?

Senator KENNEDY. As I understand, in terms of civilian war casualties, the GAO said that USAID doesn't label statistics on war casualties as to the cause. Why don't we?

Mr. MEINECKE. Well, as I understand, Mr. Chairman, the casualties show up at a refugee camp, hospital, dispensary, and are not classified whether they were caused by this and/or that reason, as we have reported, I think, in the record last year.

It is my understanding that the refugees as refugees, or as casualties, arrive and show up in refugee camp hospitals, but they are not classified, whether it be refugee or civilian, they are counted as one group, not distinguishing between the two.

The number of civilian casualties reported by USAID medical facilities at the refugee camps for 1971 through March 15 about 450. Last year, 1970, the number reported was 3,907. This augments the other figures that were given in the record last year. They are not distinguished between civilian or——

Senator KENNEDY. Well, it has just been my impression, substantiated by the GAO, that there is a lack of complete and accurate data, of reliable statistics, on war casualties, and that you really never started to compile them until 1970.

This is really in marked contrast to your ability as in the Ambassador's statement, in talking about the Plain of Jars to speak of 6 million rounds of ammunition, 6,000 weapons, 25 tanks, 113 vehicles, 200,000 gallons of fuel. We have got accurate lists on those kinds of things, but we still can't get lists on civilian war casualties. Why not?

Mr. SULLIVAN. We have lists that go back. I am not sure what Mr. Meinecke entered in the record from 1967, 1968, or 1969.

Senator KENNEDY. We have been unable to get the comments on this and the GAO once again shares this kind of frustration, it is in their report. We see it. This isn't typical. We had the same kind of situation generally in South Vietnam. As a matter of fact, it is only a matter of hours when you hear Administration people talking about the success of military operations in terms of the number of captured weapons. We don't seem to be able to get it in terms of definitive information on war casualties. Data from USAID hospitals is incomplete.

Can you tell us why USAID information is incomplete?

Mr. SULLIVAN. Dr. McCriddy from our Public Health Service in Laos is here to properly address that. I know that one reason might be that the Sam Thong Hospital where a great deal of these records were kept was overrun and burned by the North Vietnam-
ese in 1970, but if you wish to have Dr. McCready address that question, I will ask her to come to the table.

Dr. McCREADY. Senator Kennedy, these statistics indeed are not good. They are not good in many countries like Laos. It has taken a while to develop a system. For instance, the Royal Lao Government has only within the past 2 years begun to use the WHO classification system and it has taken a while to train the people in order that this can be done.

As far as USAID statistics, the same thing pertains. We have over 500 Meo working in our program which was begun in 1963. In many cases, it was necessary to teach the Meo and Lao how to speak Lao and then to read and write before they could be trained as medics and nurses. We have kept informal records until approximately 1967. At that time we began a reporting system, a very simple one from the various units we support—which are over 200—as to the total number of patients treated, total military, total civilian; total military casualties, total civilian casualties, on a monthly basis. Approximately 80 percent of the dispensaries turned in reports initially. As of March 1971, it's a little better than 95 percent.

The hospitals are broken down now into civilian and military casualties. We have gaps in our records, particularly for the last part of 1969, as far as the Sam Thong records are concerned.

Senator KENNEDY. That is a very helpful comment. Can we talk a little bit about the mortality rate among refugees. There was a comment made in the GAO report as to the extent of mortality among refugees in Laos.

According to the GAO report—

Although the mortality rate at several refugee villages exceeded USAID established standards, USAID was not aware of this condition prior to our inquiries. The only refugee mortality information available has been gathered by Lao Ministry of Social Welfare. We learned that USAID had established a maximum mortality level for Lao refugees which, if exceeded, called for special remedial measures. We were advised that when the rate of one death a day for each 12,800 refugees is exceeded, the public health division is supposed to investigate the cause and initiate corrective action.

Now, you have got 280,000, say 300,000, refugees in Laos. That means for each 12,800 refugees you get one death a day?

Dr. McCready. That is a very rough rule of thumb based on an average 40-year life expectancy, which is not a hard figure. It has never been surveyed. This was based on observations of other villages that have not been indicated as a danger signal. They have these dispensary reports—the reports of death occurring in the area our responsibility—contrasted against the population. For instance, at the particular one the GAO is discussing, the actual group of refugees on the Vietnam Plain, using the guideline rule of thumb, definitely over a period of a year from March to December, should have been 515. As it turned out, it was 329. However, there were 17 deaths in the village called Ban y Lai. This is the one referred to.

Frankly, I have no idea what it was due to, but by the time we got up there, they reported 17 deaths in 3,200 people during the month and the records did not have any more. The Government did not have any reason for the deaths.
Senator KENNEDY. You are mentioning the village that was included in the GAO report, which shows the July report from one village having about 2,500 refugees that showed 17 deaths for the month?

Dr. McCREEDEY. It has to be one or the other.

Senator KENNEDY. Six deaths, based on USAID standard, means it is 250 percent above USAID standards?

Dr. McCREEDEY. Well, there are other villages in Laos; if they had 17 deaths for 2,000 some-odd people, we just didn't hear about it.

Senator KENNEDY. Well, how are you going to hear about it in the future?

Dr. McCREEDEY. We have 221 areas that we are supporting throughout Laos. Most of them have to be serviced by air—mostly choppers, small aircraft. We have 400 medics manning these. They turn in a monthly report which is picked up by a senior Lao supervisor who has a certain area, perhaps 30 to 40 dispensaries, to supervise. He prepares a consolidated report—we have an American technician in charge of the final report. Then, with luck, with aircraft, it usually takes us about 2 weeks to get them picked up, and almost 30 days to correlate, but they are checked within the week by an American technician to see if there is any unusual, untoward reports in deaths or morbidity, increased incidence of disease, in which case it is reported immediately. These are reported to the USAID director's office monthly; also the hospital figures are reported monthly.

Senator KENNEDY. Well, you have some system of alert, I think.

We probably have to be realistic about the transportation and communication problems. But, as you know, the GAO report indicates other villages where the death rate is considerably higher than the USAID standard.

Do I understand you correctly, that you have at least taken some kind of immediate action in that area, both to get the information when you have these kind of tragedies, also to try and do something about it?

Mr. McCREEDEY. We visit these sites frequently. We have a team which travels constantly, not just to pick up the monthly report but to visit the areas frequently of those who have been recent refugees. If they see anything that is of concern or find it in the medical report, they immediately send a runner to another area where there is a radio, and one of us goes in immediately or as soon as we can get there. We try to stay on top of it.

Senator KENNEDY. Thank you, Dr. McCreeedy.

About the general conditions, Mr. Ambassador, of the various refugee camps and hospitals: We have the observations that were made by the GAO about refugee conditions, that the water supply appears to be inadequate in certain locations, wells are needed in a number of locations. However, no action has been taken. The GAO saw "overcrowded, congested living conditions; much of the land provided is inaccessible swampland; lack of medical facilities in certain refugee sites." These are just some of the general observations of the 18 refugee sites that the GAO visited. What are the conditions?

Mr. SULLIVAN. I would like to ask Mr. Williamson, who has been active in this program for a number of years, to come to the microphone. I think there have been enormous problems, of course, be-
cause many of these camps have been picked up and moved several times, as they came under pressure.

Mr. Williamson can describe to you the operations and conditions in this camp.

Mr. WILLIAMSON. I have been working in Laos for 10 years, approximately 7 years in the refugee program. I will be happy to answer any questions that you have.

Senator KENNEDY. Well, you heard the description that was made in terms of the GAO’s observations, and I would be interested in your response to it.

Mr. WILLIAMSON. Well, I think anyone who comes to an undeveloped country, especially for the first time, is quite appalled by the general conditions in the country, let alone refugee villages. This is called cultural shock. It is quite a common phenomenon among Americans coming from the United States and going overseas. Indeed, I think the reactions were honest.

I think the record has shown that the mission in Laos has contributed a substantial part of its work to the refugee program—some $17 million this fiscal year. We have 25 full-time Americans working 7 days a week, around the clock, virtually, during an emergency, to do the best job that we can.

We appreciate constructive criticism, and indeed we have many corrections in the program.

Senator KENNEDY. Given all the limitations that you are operating under—and I agree that there are many—is the GAO description a fair characterization of present conditions in these refugee camps?

Mr. WILLIAMSON. No; I don’t believe so at the present time. At any one time you can go into the country and, depending upon the situation, the conditions will vary. At the time the GAO came out, we had just finished moving some 17,000, which eventually swelled to about 25,000, people under the evacuation plan. They had to be housed temporarily. They had to be fed on a regular basis, but at the same time throughout the rest of the country we had, as you well know, several hundred thousand other people to be cared for. We try to anticipate these moves, but we never know what the North Vietnamese are going to do.

At the same time, we just left our major base camp, overrun by North Vietnamese, burned to the ground, a considerable amount of supplies lost, and at the same time dropped back in 24 hours to operate out of another base camp. At the time the GAO came out we had a lot of problems and we had already begun taking moves to correct these problems.

Again, we appreciate the recommendations. They were a great help to us.

Senator KENNEDY. These were observations made by the GAO in 18 refugee sites. Maybe things have gotten better since they were there—I don’t question that. But were those these conditions last summer, to your information? It is very easy just to say yes, they were, and you are doing better.

Mr. WILLIAMSON. In my eyes, Senator, I thought the conditions were, considering everything, that the refugees were rather well off. They had food, as noted in the GAO report. They had adequate
food; they had adequate proteins; they seemed to be very well clothed; and, again, considering this is Asia, the Government was making a major effort to find suitable accommodations for these people. It was the middle of the rainy season. We experienced the flood and the rainy season. Considering everything, I don't agree with the GAO. I think people were actually in reasonably good shape.

Senator Kennedy. Could we get a bit into the budget—how about in the hospitals? The GAO talks of various hospitals—they mention wards overcrowded, some patients required to be placed in temporary beds in the middle of aisles, etc.

Mr. Sullivan. We should have Dr. McCreedy back again.

Senator Kennedy. I don't want to get that old answer about how Vietnamese love to get in bed together. We have had that story, of how they're always much more comfortable having two or three in a bed.

Mr. Sullivan. Before Dr. McCreedy responds to that particular point, I would like to suggest, Senator, that as you have stated earlier I have said on occasions we are always talking about the exceptional. It seems to be the problem here. In other words, the General Accounting Office team didn't talk about those 150,000 or so other refugees that were in good shape. I grant you, they should point out the difficulties. But to put this in perspective, what they were doing was going to an area which was in the middle of a great dislocation. Xieng Khouang, which had been the primary hospital, primary supply center, had been overrun by the North Vietnamese. The people were just put in camps. There is always an emergency situation somewhere in the country, and if you look at that situation with respect to refugees, with respect to health, that is always the problem.

I think the General Accounting Office people looked at those and brought them out. This village that was described as having 17 deaths—that was 17 deaths in that village, but the level throughout the country was, as Dr. McCreedy described, some 200 lower than the morbidity rate that was considered tolerable.

Senator Kennedy. Who sets the tolerable rates for death in refugee camps?

Mr. Sullivan. Sir?

Senator Kennedy. What is tolerable rate of death?

Mr. Sullivan. This, again, is what Dr. McCreedy described based upon normal longevity, normal health, one per 12,000 per day. I think that is probably less than the rate of death in the city of Washington among 12,000.

Senator Kennedy. In these camps that the GAO mentioned, it was approximately 250 percent above that.

Mr. Sullivan. At one camp; yes, sir. This apparently—excuse me, one camp for 1 month. Apparently the rest of the month it was well below the level that had been fixed as below the alarm rate.

Senator Kennedy. Well, why do you have special remedial measures then? Doesn't that happen in refugee camps more frequently than in other places?

Mr. Sullivan. Yes; I think so.
Senator Kennedy. So you have a special remedial program because it is more frequent in refugee camps than outside of refugee camps?

Mr. Sullivan. I am not sure statistically in Laos. The conditions of living in Laos, in general, are not conditions that are congenial to health. There is a rampant epidemic of many diseases in Laos. It is far less sanitary, far less conducive to health than the United States. So I am not sure whether the figure is lower or higher than outside the camp. Perhaps Dr. McCready can answer that.

Dr. McCready. Again, when this was developed it was a rough rule of thumb. I might point out I did go into these villages. I will be darned if I know why these people died. It is interesting that the next village reported 17 deaths—approximately the same number of people. The following day there were three deaths in the village but this, again, is one month. As far as the rates throughout Laos, we are in the process of assisting the Royal Lao Government in development of a statistical reporting system, but it is quite incomplete as yet.

Senator Kennedy. Mr. Ambassador, you are not questioning, or are you, that the 18 refugee sites the GAO visited were not representative?

Mr. Sullivan. I think they were representative of sites in a state of panic. In other words, when there is an immediate—

Senator Kennedy. That is all right. What we are trying to get in terms of our understanding is this whole peoples’ war—what is happening to the people and the ramifications of that conflict and the effect it has on people. That is what the American people have come to understand.

Mr. Sullivan. It is representative of an emergency situation. I don’t think it is representative of the conditions that existed throughout the other 150,000 or 200,000 refugees at that particular time. Any one of those camps that happens to suddenly come under North Vietnamese military pressure and has to move and to relocate and has such problems as supply centers being burned is going to have emergency situations similar to that. But those are the exceptional circumstances rather than the daily circumstances. They are the tragic ones.

Senator Kennedy. They are tragic, but you are not saying that this group of 18 refugee sites is unrepresentative. Don’t you think there are other refugee camps that are worse and some that are better?

Mr. Sullivan. I think those camps right now are in good condition and they are totally representative. At the particular moment, the GAO visited them, they were in a state of turmoil.

Senator Kennedy. What about the medical facilities?

Dr. McCready. Which ones?

Senator Kennedy. You have seen the comments on the overcrowding and various dirty linen piles and no bathroom areas, overcapacity, et cetera.

Dr. McCready. Well, all the hospitals in Laos are overcrowded.

Senator Kennedy. They said in a site like the 272d hospital near