Mr. MINARCIN. Most of us knew the same situation, sir. We were front line. We were the operators, we were the collectors. We had the same knowledge. Why go tell you what you already know?

The CHAIRMAN. And you got back here when?


The CHAIRMAN. Do you have another question?

Senator SMITH. I do. Just to give you some indication of how difficult it is for us, I guess it is much like the Clarence Thomas hearings, or any trial. You have two sides, and you try your best to make a decision. I just want to show you what we are up against.

You just referred to a report that you wrote on the 17th of February, 1973, correct?

Mr. MINARCIN. The one requesting transportation for three American prisoners, or bandit American pilots, to be sent from Southern Laos through Khe Sanh to Vinh.

Senator SMITH. And you identify one of them as Cressman?

Mr. MINARCIN. Peter Cressman.

Senator SMITH. You mentioned Cressman, right?

Mr. MINARCIN. Yes, sir. We knew one of the ones was Cressman.

Senator SMITH. In the document which Senator Kerry and I have referred to in previous questions, or testimony, I received a letter again on September 13, 1989, from the Defense Intelligence Agency, signed by Mr. Trowbridge. Here is the wording of the report that you indicate you wrote. This is what the DIA says about that: “The 17 February document is a report by an enemy unit of the alleged downing of an aircraft in the area of immediately south of the DMZ, which separated North and South Vietnam, and as such does not relate to the EC-47 or its crew.”

Now, they say it is written by an enemy unit and it does not relate to the crew. You say you wrote it, and it refers directly to the crew and mentions Cressman by name.

Mr. MINARCIN. You’ve got to remember the report I’m writing—

Senator SMITH. That is how far apart we are here.

Mr. MINARCIN. The Vietnamese are saying it, I’m not. So the Vietnamese, when they come out and say, we need transportation for three giac lai my from point A to point B to point C, and then finally into point D—

Senator SMITH. But it’s an enemy report that you intercepted, correct?

Mr. MINARCIN. I had the traffic at that time. It had already been transcribed. I had the transcribed copy right there in front of me, and it requested the transportation for three giac lai my, from this point to this point to this point to this point. The unit was based just south of the DMZ, in the Khe Sanh area, because that was the headquarters for that area.

Senator SMITH. By enemy unit, they are referring to something that you transcribed?

Mr. MINARCIN. Translated. Here’s the enemy unit headquartered at Khe Sanh, which is south of the DMZ. They’re talking about an air crew that’s coming up from Southern Laos.
Senator SMITH. Even if they are right and you are wrong, it is still another air crew that is lost and somebody is wandering around over there alive, and nobody knows anything about what happened to them, right?

Mr. MINARCIN. Right.

Senator SMITH. So one way or another, something is not right here. Just as a further elaboration, this is a document which I received actually several years ago, probably 1986 or 1987, from the Cressman family, in which—and I will ask unanimous consent to enter this document into the formal record, Mr. Chairman—it is a document which has, based on information that they received—they do not say where they received it or how they received it—but it is a totally different story than what is in this document.

It does somewhat substantiate what you have said, totally takes issue with what has been said in the DIA report. Again, this is what the Cressman family indicated in the letter. Basically, it says that they were not dead, that they were alive, at least four of these men, and goes on in great detail and I will let the document speak for itself.

[The information referred to follows:]

At 1605Z on February 4, 1973, an EC-47Q, call sign “Baron 52”, of the 361st Tactical Electronic Warfare Squadron (TEWS), 56th Special Operations Wing (SOW), took off into a clear night sky from Ubon Royal Thai Air Force Base (RTAFB), Thailand, on a classified tactical mission over southern Laos. This aircraft had a crew of eight men; four officers, primarily responsible for the flying and navigating of the aircraft; and four enlisted men, who operated the electronic equipment emplaced in the rear of the plane.

Operations, as far as we have been advised, went normally until 1825Z, when Baron 52 reported observing, but not receiving, 5 round of 37mm anti-aircraft fire approximately 15 nautical miles NW of Attopeu, Laos. Shortly thereafter, at 1830Z, Baron 52 reported, “Operations Normal” to “Moonbeam” (an airborne command and control aircraft operating in the general area). This was the last known radio communication received from the aircraft prior to its falling from radar. The station that was responsible for that radar tracking was “LION”, Ubon’s primary radar facility. For the following 20 minutes there was no contact with the aircraft or it’s crew.

When Baron 52 failed to make its routine half hour radio check-in call at 1900Z, concern was elevated and at 1910Z, Baron 52 was declared overdue.

The 40th Aerospace Rescue and Recovery Squadron (ARRS) was notified by the Command Post that the aircraft was overdue and preparations for a Search and Rescue effort (SAR) were intimated at 1915Z. Meanwhile, “Spectre 20”, an AC-130 gunship of the 16th Special Operations Squadron, and two RF-4 fighter-bombers of the 8th Tactical Fighter Wing (TFW) were diverted to the crashsite area at 1935Z. These aircraft have extremely sensitive equipment on board to locate heat sources, on the ground. In addition, another EC-47 “Baron 62”, which was operating in the vicinity, performed broad spectrum communications searches for the “Baron 52” with negative results.

At 2257Z, 2300Z and 0005Z three OV-10 Forward Air Control (FAC) observation aircraft of the 23rd Tactical Air Support Squadron (TASS) took off to search the area in which Baron 52 disappeared. At 0125Z on February 5th, another unidentified electronic interceptor (possibly Baron 62) received two Pathet Lao (PL) military communications indicating that a group of PL soldiers had captured four American pilots and they were requesting instructions. The time is significant here since the last U.S. pilot to be shot down over Laos was more than a month prior to this date. (The shoot-down over Laos prior to that was Christmas Eve 1972.)

Search efforts continued. On February 7th, an OV-10, call sign “Rustic 04” located the crash site and directed three photographic reconnaissance flights over the area. Upon evaluation, the photos were interpreted as being of an old crash site, and search efforts were continued for the crash site of Baron 52.

Having no success at finding the crash site, the photos of February 7th were re-evaluated and a ground search insertion to investigate the site was coordinated. Along with this ground team, an enlisted man from the 6994th Security Squadron
(the parent unit of the four enlisted men) would accompany the searchers on the ground to insure the presence of, as well as the destruction of, any and all of the classified equipment and documents at the site.

On February 9th, the search forces launched from Nakhon Phanom RTAFB, Thailand reaching the site at 0520Z. Three para-rescue specialists, as well as the electronics man, were lowered to the wreckage. This was not a hostile site, and the team was able to work unmolested for approximately one hour to complete their survey.

As expected, the aircraft's cargo compartment, where the electronics equipment was located, had been completely destroyed and melted. This had been expected since directives concerning destruction of highly classified materials in this type of situation were in place at the time. These directives provide for: “Anti-compromise Emergency Destruct” (ACED) equipment to be installed to protect sensitive items from falling into enemy hands. Upon looking into the area towards the front of the aircraft, the searchers are reported to have seen, but were unable to reach, two or three sets of remains strapped into the seats normally occupied by the officers flying and navigating the aircraft. In addition to these remains, the partial remains of Lt. Robert Bernhardt, a co-pilot, were obtained from under the front of the aircraft. There was no sign of the other four individuals, and neither they, nor their remains were seen at or near the crash site.

Given this information, in addition to the classified intercepts from the time of the crash, it was the conclusion of some members of the Air Force Security Service, as well as some in the Defense Intelligence Agency, that the remaining four enlisted members of the EC-47Q crew had parachuted to safety, avoided the obviously deadly crash, and been captured by Pathet Lao forces a distance from the wreckage. This position was reinforced by a third intercept on February 17th pertaining to the crash. This intercepted communication was from an unidentified headquarters ordering the Field Units to “shoot at enemy aircraft”, and that “members of the South Laotian campaign had shot down one aircraft and captured the pilots.” This is important since no other U.S. Military Aircraft were lost in Laos in this time frame, or since the Baron 52 crash of February 5, 1973.

On February 22, Col. F.A. Humphreys (Commander of the 8th Tactical Fighter Wing) and Col. Robert E. Wayne (Commander of the 56th Special Operations Wing) on the suggestion of the Air Force Manpower and Personnel Center, Randolph AFB, Texas, reviewed all the information available to them, and concluded that no one could have survived the crash of Baron 52 and declared all eight men dead. This status change was made without the benefit of any further information being provided to the commanders by U.S. Intelligence officials. The intercept reports and the information contained in them were not revealed to the overseas commanders in Thailand due to the reports classification level. In fact, documents are available in which intelligence officials expressed a belief that these four men (from the rear of the plane) would be repatriated during “Operation Homecoming” while they were in full knowledge of the declarations of death.

On May 2, 1973, a fourth intercept was received concerning these four prisoners, giving location, direction of travel, and who should be contacted for assistance in transportation. There is no reason to assume that the tracking of these men terminated here since the fourth intercept included who was waiting for the delivery of the prisoners.

Since the Laotian cease fire agreement went into effect in the same time period, it is the conclusion of the author that it became politically expedient to “ignore” these four men rather than upset the delicate balance of the agreement. As an example to this point, it has come to our attention that the names of the four men captured from Baron 52: Brandenburg, Cressman, Matejov and Melton were added to the list of prisoners at the negotiating table, only to be removed by a “Key U.S. Negotiator.”

In any event, the determination of death in this case cannot be defended. It is indisputable that all of the evidence shows that these men were alive when they were pronounced dead and abandoned. There is not a shred of evidence that these men are not alive today as many POW’s survived for long periods of time in the hands of the same captors.

As an addition to this summary, Jack Bailey of “Operation Rescue” (Pier 42, Embarcadero, San Francisco, CA 94107), stated that he has recordings of field interviews with Lao citizens in which they reportedly witnessed the parachuting airmen as they were captured on the night of the crash. Further information should be obtained directly from him.
July 10, 1986.

Dear,

This letter will detail an incident which should be of interest to you and all the participants of the POW hearings. The incident, and the subsequent information gathered from various sources since the incident date, should graphically detail the deliberate abandonment of at least four living U.S. Servicemen in Laos. I would not describe the incident as "deliberate" without proper documentation. I hope this letter will help you and other interested parties come to the same conclusion, and perhaps provide the path to possible remedies.

The event that started this situation was the apparent shoot-down of an EC-47Q aircraft on the 5th of February, 1973. The EC-47Q essentially is a C-47 aircraft which has been altered by the emplacement of a substantial amount of sensitive electronic equipment so that it can be used for military reconnaissance work. Among its functions is the ability to eavesdrop on enemy military communications. Much of the electronic equipment involved is regarded as SECRET and crew-member operators had to possess Top Secret Clearance with special access to compartmentalized information. (There are DoD directives dictating that arrangements be made for the destruction of the aircraft and equipment rather than risk compromise of same.)

The particular EC-47Q with which I am concerned was based at Ubon Royal Thai Air Force Base (RTAFB), Thailand. It had a crew of eight men—four commissioned officers primarily responsible for flying and navigating the aircraft, and in the cargo area, four enlisted personnel responsible for the operation of the electronic equipment aboard. On February 5, 1973, while on a tactical mission, the EC-47Q and at least some of the crew were shot down over Laos. Shortly after the shoot-down, another U.S. eavesdropper intercepted enemy communications and ascertained that at least four members of the EC-47Q crew were alive and had been captured. This information was known to U.S. Intelligence officials almost immediately following the crash.

A few days later a helicopter lowered a search team to the crash site and the wreckage was inspected. This was not a hostile site, and the team was on the ground over 40 minutes to complete their survey. The aircraft, as expected, had melted. Partial remains of one crewmember were discovered which were later found to be those of the co-pilot. Peering into the wreck towards the front, the searchers are reported to have seen, but did not reach, two or three additional bodies still strapped into the seats normally occupied by the officers flying and navigating the aircraft.

In the rear where the other crew members had been stationed, there was no sign of anyone, and neither they nor their remains were seen in the area. This confirmed the information that the men had escaped the crash and been captured. Eventually the search party departed, taking with them the co-pilot's retrievable remains and, possibly, some other fragments of human remains. The co-pilot was declared dead, and the other crew members were continued in their missing status.

Investigation further indicates that on February 17, 1973, four members of the EC-47Q crew were seen and identified as such about 25 kilometers from the crash site, in apparent good health and accompanied by their captors. Once again, U.S. officials were immediately made aware of this information.

During the entire period, U.S. Air Force directives were in force which mandated that the families of men such as these be given the most complete information possible. However, this was not done. The families were told that the aircraft was not being tracked by radar....it was; they were told that there were no photos of the crash site....there are; they were told that the crash site could not be investigated further because it was considered "hostile"....it was not.

On February 22, 1973, 17 days after the shoot-down....while this information was still being withheld, the Air Force administratively declared ALL of the men from the aircraft dead, without the benefit of any new information.

About two months after the shoot-down, the captives were sighted again, still in apparent good health, with their captors about 65 kilometers from the crash site. Again this information was known immediately to U.S. officials, but was withheld from the families of the men. Instead, these families were assured, again and again, that it was certain that all of the men of the EC-47Q had perished.
During the summer of 1978, details of this case came to the attention of Jack Anderson, the syndicated newspaper columnist and Lyn Ferguson of the Atlanta Journal. They pursued it until the Air Force finally released documents that confirmed that indeed four pilots were captured on the same date as the EC-47Q crash, but that "no identity or nationality was specified"... another outright lie. The families of these men were not told by the Air Force what the details of the information were, or how it was received. They were merely told that the Air Force did not consider that the information was enough to warrant a change of status review or any other reconsideration of the determination of death.

The determination of death in this matter cannot be defended. It is indisputable that all of the evidence shows that at least four of these men were alive when they were pronounced dead and abandoned. There is not a shred of evidence that they are not alive today. Many POW's survived for long periods in the hand of the same captors.

In conclusion, I ask you, as a responsible representative of the United States Government, to take whatever steps necessary to effect the liberation of these men, as well as others who may be in the same circumstance due to the political expediency of "closing the books" on the living POW issue.

I have prepared this letter on behalf of my brother, SGT. Peter R. Cressman, USAF, one of the four captive crewmen, and also for our parents, Mr. and Mrs. George R. Cressman. As their representative in this matter, I may be reached at home at:

Mr. Patrick J. Cressman,
6982 62nd Ave. North,
Pinellas Park, FL. 33781.

or during the National League of Families meeting at:
Stouffer's International Hotel,
Crystal City, Alexandria, VA.
(703) 979-6800

Thank you in advance for your assistance in vigorously challenging this sensitive problem.

Sincerely,

MR. PATRICK J. CRESSMAN
MR. GEORGE R. CRESSMAN
MRS. EVELYN R. CRESSMAN

Senator SMITH. But again, this is what we face in trying to come to some consensus—to get the truth here.

So I would just say, in response to the question that Senator McCain asked you, and what I also asked Mr. Mooney, we appreciate the fact that you are willing to not only deposition with us—and I hope you feel you have had the opportunity to provide all the information that you wanted to provide the committee and also to testify here—but also willing to sit down with some of the people who disagree with you, head-to-head, and let us see if we can find out what, in fact, is the truth.

Mr. MINARCIN. I would like to sit down with him, right like this, just so that everybody could see it.

The CHAIRMAN. Let me say to you, Mr. Minarcin, we are going to have our staff be part of that process, and if we suspect that there is need for some public arbitration or airing of it, we are not going to hesitate to do that. We have a lot of work, obviously, to do. We have been at this for 7 weeks. We have more than 11 months ahead of us yet, and there is a lot of sifting and sorting to do, and I think we will have time to do that.

Senator SMITH. I just want to finish two more questions.

Mr. MINARCIN. I'd like to say something really fast here, and this is in conjunction with what Mr. Mooney said earlier. At times, I might feel I can educate or try to teach you 17 years' worth of ex-
perience. But you all have your work cut out for you and you’re
doing a very good job, from what I’ve seen so far.

Granted, a lot of people are very inexperienced. They’re crossing
over into a world they had no idea existed. They don’t know the
depths of that world. There is one young staffer sitting back there
who is going to get red ears when he realizes that he was laughed
at all afternoon, but he did a tremendous job. He’s got a lot of
work. Everybody in here is doing a good job, and the word I was
asked to pass on from those special operations people is keep it up.
They appreciate what you’re doing.

Senator Smith. After your comments regarding the incident in
1981, I asked the staff to check with CILHI to find out whether or
not anything could corroborate what you indicated regarding the
botched rescue mission, and the possibility of several sets of re­
 mains going to CILHI. The indications back from them are that no
bodies at all, period, came in for the first half of 1981, of any kind,
bones, or anything else. That is their direct testimony and state­
ment to us.

In the second half, sometime perhaps July, I guess, July 1981,
three sets of bones came in from the Vietnamese. So, again, we
have something that you state very, very strongly, very forcefully,
in your testimony, under oath, and I am not here to challenge that,
I am here to try to get the truth. Yet, at the same time, people who
are operating the identification laboratories in Honolulu said they
did not get any bodies, period, zip.

Again, this is what we face in trying, and it is damned frustrat­
ing for us. There are people out there who hang on every word this
committee says, every word the witnesses who come before this
committee say. We are trying to get the truth and we have to deal
with something that divergent. There is nothing close to that. One
of you is wrong. Who is it? This is what is so frustrating. I just
want to go to one more area, and then I know the chairman wants
to wrap it up.

We really did not get into Laos in much detail in your testimony.
What specific information can you give us on the intelligence gath­
ering regarding POW traffic in Laos, after the war, or even during
the period of time? As you know, we never signed—Laos never
signed the Accords. What activity did you track in there in that
1973, 1975, 1976 range?

Mr. Minarcin. We tracked mostly special operations that were
going in and out, and we know fairly much where their activity
areas were.

Senator Smith. Prison systems, you tracked people in and out of
the prison systems?

Mr. Minarcin. The prison systems really didn’t exist over there.
I mean, there were prison systems there, but the major locations
for the special POW’s, for the general POW’s, were all inside
within Northern Vietnam.

Senator Smith. The strings were pulled by the Vietnamese in
Laos in the prisons?

Mr. Minarcin. That’s what I feel.

Senator Smith. From your knowledge, that is what you got?

Mr. Minarcin. That’s my belief, yes, sir.
Senator Smith. How elaborate was the prison system, based on what you heard, in Laos?

Mr. Minarcin. It was pretty crude—caves, bamboo cages.

Senator Smith. You heard this on the traffic from Laos?

Mr. Minarcin. Now necessarily from the traffic—caves from the traffic, but bamboo cages from a friend of mine who was special operations. Anything that could be readily erected and could be naturally destroyed without arousing suspicion.

Senator Smith. Do you have any information that you heard around 1973 that would substantiate any of the information that was being put out by the Pathet Lao during and right after the Accords regarding their holding of American POW's, specifically relating to Petrosy and some of the other individuals who were making statements about American POW's in Laos?

Mr. Minarcin. We would go to work—and I'm not a Laotian linguist, so I have no idea what they were saying in their comms. The Vietnamese weren't saying too much at that time, from what we were picking up. But we'd go downtown and read the newspapers, and they were saying, yeah, we've still got Americans, and we were just wondering how come the American officials never went up to Vientiane to talk with these people.

Senator Smith. You did mention—I do not know if it was a friendly shot or not—that, regarding staffing, we do have some very inexperienced staff investigators on board.

Mr. Minarcin. They are learning real fast. You've got a good cadre going.

Senator Smith. Thank you, Mr. Chairman.

The Chairman. Thank you very much, Senator Smith.

Mr. Minarcin, thank you for taking the time to be with us today. Can you make yourself—are you going to have to go back tonight?

Mr. Minarcin. Actually in about 8 minutes.

The Chairman. Would you be available in any number of days in short order?

Mr. Minarcin. Yes, sir.

The Chairman. Because I want to try to continue to proceed to get at this, and I want to get the NSA folks and others involved in narrowing this down. Senator Smith talked about the disparity between some of these allegations. I am convinced that the process will allow us to narrow that down, and we are going to do some hard numbers-crunching and names-crunching and some traffic analysis in order to try to be able to do that.

We obviously need to bring the parties together so that we can answer some questions, and I think it will work the process a lot faster.

I appreciate your coming here today, and I would like you to encourage others who have information, with documentation, to come forward. I hope you get a sense that the committee is serious about this, and I think you have gotten that sense. I hope you also appreciate that when I push you or when I push the line of questioning, it is without regard to who is sitting in front of me. I am going to push both sides as much as possible to be able to help the committee make its judgments.
I think, frankly, that hopefully is helpful to drawing out some information which we, needless to say, have got to get out in order to be able to do this.

We will be having another set of hearings prior to the committee's departure for southeast Asia, and we have a great deal of information which we are obviously in the process of collecting before we do go there. The committee feels very strongly that this information is essential to our ability to ask some of the questions that we need to ask.

There will be, probably, a set of hearings, and it may well focus on the issue of the delivery of documents and information requested by the committee from various agencies, as well as some hard numbers-crunching on precisely what lists are out there and what the real list of names ought to be. I think that is one of the essential benchmarks that the committee needs to lay out as we proceed from this point.

So, until that next hearing is announced, the committee will stand adjourned.

[Whereupon, at 5:08 p.m., the committee adjourned.]