

**U.S. GOVERNMENT'S POST-WAR POW/MIA  
EFFORTS**

---

**HEARINGS  
BEFORE THE  
SELECT COMMITTEE ON POW/MIA  
AFFAIRS**

**UNITED STATES SENATE  
ONE HUNDRED SECOND CONGRESS**

**SECOND SESSION**

**ON**

**U.S. GOVERNMENT'S POST-WAR POW/MIA EFFORTS -**

**AUGUST 11 AND 12, 1992**



Printed for the use of the Select Committee on POW/MIA Affairs

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1993

61-323

For sale by the U.S. Government Printing Office  
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-041359-1

KF26  
 .5  
 P6  
 1992c  
 copy 2

**SELECT COMMITTEE ON POW/MIA AFFAIRS**

**JOHN F. KERRY**, Massachusetts, *Chairman*  
**BOB SMITH**, New Hampshire, *Vice Chairman*

**THOMAS A. DASCHLE**, South Dakota  
**HARRY REID**, Nevada  
**CHARLES S. ROBB**, Virginia  
**J. ROBERT KERREY**, Nebraska  
**HERB KOHL**, Wisconsin

**JOHN McCAIN**, Arizona  
**HANK BROWN**, Colorado  
**CHARLES E. GRASSLEY**, Iowa  
**NANCY LANDON KASSEBAUM**, Kansas  
**JESSE HELMS**, North Carolina

**FRANCES A. ZWENIG**, *Staff Director*

(ii)

**C O N T E N T S**

TUESDAY, AUGUST 11, 1992

| Statements of:  | Page |
|---|------|
| Chairman John F. Kerry, U.S. Senator from the State of Massachusetts..... | 1    |
| Honorable Robert C. Smith, U.S. Senator from New Hampshire .....          | 3    |
| Honorable Harry Reid, U.S. Senator from Nevada.....                       | 7    |
| Honorable John McCain, U.S. Senator from Arizona.....                     | 8    |
| Honorable Charles E. Grassley, U.S. Senator from Iowa.....                | 9    |
| Honorable Herb Kohl, U.S. Senator from Wisconsin .....                    | 9    |
| Honorable Hank Brown, U.S. Senator from Colorado.....                     | 10   |
| Honorable Thomas A. Daschle, U.S. Senator from South Dakota .....         | 10   |
| Honorable Charles S. Robb, U.S. Senator from Virginia .....               | 10   |
| Honorable Nancy Landon Kassebaum, U.S. Senator from Kansas .....          | 11   |
| H. Ross Perot; accompanied by David Bryant, attorney .....                | 11   |
| Murphy Martin .....   | 144  |
| Prepared statement .....  | 145  |
| Harry McKillop.....   | 145  |
| Thomas Meurer.....  | 149  |
| McMurtrie Godley, U.S. Ambassador to Laos, 1969-73, Morris, NY .....      | 163  |
| James Murphy, U.S. Embassy Political Officer, Calumet, OK .....           | 163  |
| Prepared statement .....  | 163  |

**ADDITIONAL MATERIAL**

|  |     |
|--|-----|
| Letter to J. William Codinha, Chief Counsel submitted by Fred D. Thompson ..                                 | 57  |
| Materials Submitted to U.S. Senate Select Committee on POW/MIA on behalf of James Cannon .....               | 58  |
| Newspaper articles from the Washington Post.....   | 95  |
| White House press release dated April 24, 1987.....  | 97  |
| State Department cable re: Senator Edward Brooke.....  | 189 |
| Letter of Intent from Nguyen Co Thach, Minister of Foreign Affairs, Socialist Republic of Vietnam.....       | 203 |
| Draft Letter of Intent from Nguyen Co Thach, Minister of Foreign Affairs, Socialist Republic of Vietnam..... | 205 |
| Letter to the Honorable J. Kerry from Paul Mather, Lt. Col., USAF (Ret.).....                                | 207 |
| Ambassador Lang's message for Senator Kerry .....  | 208 |
| Response to the Honorable Kerry from H. Ross Perot.....  | 209 |
| State Department cables re: Soth Pethrasi.....   | 211 |

(iii)

WEDNESDAY, AUGUST 12, 1992

| Statements of:  | Page       |
|---|------------|
| Chairman John F. Kerry, a U.S. Senator from the State of Massachusetts .....  | 217        |
| Lieutenant General Leonard H. Perroots, USA (retired), former director, CIA.<br>Prepared statement .....                        | 218<br>226 |
| Richard T. Childress, former staff member, National Security Council .....  | 236        |
| Prepared statement .....  | 240        |
| Ambassador Richard Armitage .....   | 253        |
| Honorable J. Robert Kerrey, a U.S. Senator from the State of Nebraska .....   | 262        |
| Memo concerning the Mark Smith meeting .....  | 267        |
| Honorable John McCain, a U.S. Senator from the State of Arizona .....   | 269        |
| Honorable Harry Reid, a U.S. Senator from the State of Nevada .....   | 273        |
| Honorable Charles E. Grassley, a U.S. Senator from the State of Iowa .....  | 279        |
| Honorable Howard Baker, former White House Chief of Staff, accompanied<br>by James Cannon, former deputy to Senator Baker ..... | 295        |
| Letter to J. William Codinha from Arthur B. Culvahouse, Jr. ....  | 300        |
| Typewritten version of Howard H. Baker, Jr. ....  | 301        |

## HEARING ON U.S. GOVERNMENT'S POST-WAR POW/MIA EFFORTS

TUESDAY, AUGUST 11, 1992

U.S. SENATE,  
SELECT COMMITTEE ON POW-MIA AFFAIRS,  
Washington, DC.

The committee met, pursuant to notice, at 9:32 a.m., in room SR-325, Russell Senate Office Building, Hon. John F. Kerry, Chairman of the committee, presiding.

### OPENING STATEMENT OF HON. JOHN F. KERRY, U.S. SENATOR FROM MASSACHUSETTS

The CHAIRMAN. The hearing will come to order. Mr. Perot, let me just inform you that the press will move momentarily, so, as I agreed with you, will not sit in here.

Let me, if I can, before I make an opening statement, if you would stand so I can swear you in, Mr. Perot.

If you'd raise your right hand?

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PEROT. I do.

The CHAIRMAN. If I could ask if the members of the media would clear the well so that we could have an unobstructed view.

The Select Committee meets this morning to continue its effort to try to determine the truth about Americans still unaccounted for in the war in Southeast Asia.

Mr. Perot, as you know better than anybody, we are here more than 19 years after the fact, because the POW/MIA issue continues to confound us in this country. Some would say it even haunts our politics and our psyche.

It is that way because an awful lot of questions that should have been asked a long time ago were not asked and because answers and information that should have been forthcoming a long time ago was not made available; and because a swirl of controversy and suspicion has arisen in the country as a result, with people doubting the word of their own Government on this subject.

It is also true, and we are here in response to the fact, and a fact that you have witnessed in your own travels and efforts over these 20 years, that we all have a duty, a personal duty, to try and get to the truth and get the answers.

When our committee began its work last November, I think it is safe to say that most people in the country thought we were on a wild goose chase and that there were not any new facts to learn,

that what was known about this was on the table, and in fact, that the committee would probably come up empty.

Many people believed that all the possibilities had been exhausted. The passage of time obviously puts this committee at a disadvantage, in terms of the people who might be available to talk to, the memories, and the availability of documents.

I respectfully assert that the idea of this committee has already been validated, because already we have uncovered information that for 2 decades was unknown or concealed. We have found new evidence that some Americans may indeed have been left behind after Operation Homecoming and we have found the clear, unrefutable evidence that a certain group of those people were at least unaccounted for, with the expectation that they should have returned.

We have examined carefully, and for the first time publicly, Government handling of live-sighting reports, and we have set in motion one of the largest efforts to declassify documents in the history of this Government.

The committee has also pursued our own Government and foreign Governments, including Vietnam and the former Soviet Union, to step up efforts to investigate live-sightings, to resolve long-standing questions about particular cases, to open archives and to review files.

And now we have an ongoing presence in Southeast Asia. We have access to long denied documents. We have unprecedented cooperation with Vietnam and Cambodia, and we have more U.S. personnel, ironically, working on this issue today than we ever have before.

Just this past week in the hearings that we had on live-sighting reports, when doubts arose about Vietnam's willingness to permit short notice inspections, we immediately questioned Vietnam and we have been assured that continued access will be allowed, and in fact, two investigations have taken place just in recent days.

So this morning, we meet to begin really a new phase, almost the last phase of this investigation. And that is the review of our own Government's response to available POW/MIA information from the time of the war until today. And particularly, the beliefs and the observations of people like yourself, Mr. Perot, and those who were in Government who made the decisions regarding this issue and who had reason to be able to have access to documents and information over the course of that time.

In many ways, Mr. Perot, you are really the ideal person to help us initiate this part of our investigation, to give us an overview. Because there is no private citizen, there is no person who is not a family member, who has had a longer or more intimate experience with the POW/MIA issue than you. Beginning with your widely praised efforts during the war to improve the treatment of POWs—and this committee congratulates you on the reality of the change in their treatment that you did achieve—and continuing through meetings with top American and Vietnamese officials in the late 1980's, Mr. Perot has had 20 years' of experience in dealing with this issue, firsthand and often at the highest level.

Our committee is interested in what you have done with respect to POW/MIA, in respect to what you have witnessed with respect

to this issue, and finally, in what you believe today with respect to this issue. With your help and the help of other witnesses, we hope to continue the process that we have begun of demystifying this issue, of moving aspects of it from the realms of rumor and allegation and conspiracy to try to find the truth.

This is not an easy process. It will require hard questioning, and as I have said to you, we will ask hard questions today. It will require a vigorous effort to try to reconcile conflicting views of what has happened.

In preparing for this hearing during interviews with witnesses, we have heard conflicting accounts. Today and tomorrow, we will review those accounts with you and your associates, with former State Department and Defense Department and Intelligence Agency personnel, and with former Presidential Chief of Staff, Howard Baker.

We will do our best, Mr. Perot, in a nonpartisan, dispassionate way, to try to resolve the conflicts and to make some judgements about where the truth most probably lies, and most important, to evaluate the overall significance of the information received as it relates to POW/MIA.

As I have said at earlier hearings, we have reached reality time on this issue. We have had 20 years of secrecy, rumor, theory, myth, and accusation; 20 years of pain and uncertainty, a roller coaster of emotions for the families, a huge uncertainty in the country and division and doubt and even politics in the use of this issue.

Our committee's one obligation to the public and to our colleagues is to the truth. As I have said previously, not a slant on the truth, not a particular piece of the truth, but the truth as well as we can put it together. And so the purpose of this hearing today and the purpose of our future hearings is to get at that in open public session.

I respect the reservations that you had, as we said earlier, about an appearance at the time that your candidacy was perhaps about to be announced. We are delighted that you are here now ready to share with us your experience on this issue and we look forward to a very fruitful dialog in the course of this morning.

Senator Smith.

#### STATEMENT OF HON. ROBERT C. SMITH, U.S. SENATOR FROM NEW HAMPSHIRE

Senator SMITH. Thank you, Mr. Chairman. Good morning, Mr. Perot. We are honored and privileged to have you here this morning. You have steadfastly kept pace with the American prisoners of war and those unaccounted for from the Vietnam conflict for many years, for which we are grateful and I know the men are.

I look forward to hearing your testimony into this issue, as I did 6 years ago, as you recall, when you at least tried to testify before the Solarz Committee in the House of Representatives, of which I was a member, but there were many interruptions in that process and you were not allowed to complete your testimony unfortunately.

Five years ago, I remember reading a quote in The Washington Post from General Alexander Haig, the former Secretary of State, in which he said in reference to Mr. Perot, Perot's efforts during the war, quote, we knew he was passionate about what was happening to the boys. We knew he had something to offer, more than just money, unquote.

Former President Richard Nixon echoed these comments a few weeks ago, saying Ross Perot supported what we were trying to do in Vietnam, unlike many other people in the business community who took a walk. And I appreciate that. He did everything he could to help the POWs while many others were doing nothing at all. At a time when many people in the American establishment were not supporting the POWs, Ross Perot was doing so. Unquote, from Richard Nixon.

I note after reviewing the record that support and praise for Mr. Perot's efforts were not partisan in any way during the war. Indeed, Democrats in the Congress, such as former Congressman Zablocki of Wisconsin and former Speaker of the House John McCormick, praised his efforts. And I am sure Mr. Perot will call his appearance before Chairman Zablocki's committee in 1970, in which he asked the American people to pay more attention to the POW/MIA issue, may also recall that Congressmen Zablocki and McCormick were instrumental in getting a POW cage displayed here at the Capitol during the war which brought great attention to the plight of our POWs.

A year later, in 1971, Ross Perot told a reporter from The Chicago Tribune that the American people, the American people hold the key on this issue because the Communists have shown that they respond to world pressure, world opinion. I believe that those words spoken more than 20 years ago, should still be heeded today. The more the Communists in Southeast Asia know the American people want the truth, the more likely we are to get the truth.

Mr. Chairman, there should be no doubt that Ross Perot's efforts have been helpful to our POWs and MIAs. It is a matter of fact that his efforts to bring food, medicine and Christmas packages to POWs in 1969 and 1970, did in fact improve the North Vietnamese treatment of these men, as we later learned from the returnee debriefs.

My words of thanks for your efforts, Mr. Perot, frankly pale in comparison to the recognition that you have already received from former POWs themselves and their families and our Nation's veterans groups.

As many know, Mr. Perot has a painting which he proudly hangs in his office which is signed by all the POWs who came home in 1973, thanking him for drawing of public attention to their plight. I also note that the Department of Defense has awarded Mr. Perot its highest civilian honor for his efforts, the Defense Medal of Distinguished Public Service.

Now here we are 19 years later, after the end of the war, and we still do not have all the men accounted for. The intelligence reports, some of which we explored for the first time in public session last week, continue to raise legitimate questions on whether American POWs have survived long after the war.

Reports are now surfacing in the press that the Reagan administration may have received an offer from the Vietnamese in January 1981 to exchange an unspecified number of POWs for reconstruction aid promised by President Nixon at the Paris Peace Accords. Already, our committee is aware of three separate U.S. Government officials who are stating that such an offer was indeed made and we are continuing to investigate that. Our investigation will not stop until we know the truth.

Mr. Perot has consistently offered his time and energy to help the Congress and the executive branch to learn the truth. In fact, I recall in 1986 being one of 275 Members of Congress who were trying to form a presidential commission at that time, which Ross Perot would have headed to look into this issue. This came following a 1986 internal review at the Pentagon, in which former DIA Director Gene Tighe concluded that there was a strong probability American POWs were still held against their will.

Later, at the request of the White House, Mr. Perot began to review Government intelligence files on possible surviving POWs and evaluate current policy in order to report his recommendations to the President. This followed 3 years of service by Mr. Perot in President Reagan's Foreign Intelligence Advisory Board.

We know that he spent hours and hours at the Pentagon reviewing live-sighting reports and other intelligence on possible POWs still in captivity. We know he was doing everything he could to help the President resolve this issue. In fact, I hope that today we can explore some of his recommendations to President Reagan in April 1987. The solution to these outstanding questions on the issue may in fact lie in his recommendations. If they do, we will want to measure the extent to which these recommendations made by Mr. Perot have been implemented in the past 5 years.

Mr. Chairman, while I vaguely recall Mr. Perot's efforts during the war concerning POWs, his later involvement in the mid-1980's is a period of time I recall very well. As a new member of the House POW/MIA Task Force, I had started to become involved with this issue in trying to learn the facts.

I recall in October 1986, when Mr. Perot last testified before Congress, I and several of my colleagues made a request for reports written by General Tighe, Colonel Gaines, and Admiral Thomas Brooks. Our requests were never acted on. And 4 years later I was told two of the reports did not even exist in writing. Now 6 years after my original request, these reports have finally seen the light of day. We are making progress.

When President George Bush stated 2 months ago that Ross Perot was trying to help our efforts on POWs in 1986 and 1987, he was absolutely right. Mr. Perot's cooperation with this committee has been steadfast. He met on at least four different occasions with either the chairman or the vice-chairman of this committee, a couple of times separately and jointly, to give us his insight on the issue.

He met twice with our investigative staff, once in Dallas and once in Washington, and he had several conversations with both myself and the chairman on this issue. Mr. Perot also gave generously of his time with a formal, lengthy formal deposition for the record. Press reports to the contrary, Mr. Perot has cooperated

fully with this committee and with the efforts and objectives of this committee which are to find the truth. Senator Kerry also pointed out some difficulty we had because of the candidacy, but that was just more minor, very minor procedural matters.

Like Mr. Perot, I too was disheartened to read certain press articles after he announced his interest in the Presidency this past spring, articles that maligned his efforts, beliefs and his patriotism, articles that questioned his commitment to the men who never came home, articles that in his words tried to rewrite history.

I was especially outraged when certain staff members associated with this committee, which seems to be replete with leaks, maliciously leaked committee confidential information regarding the committee's private meetings with Ross Perot. They were leaked to Sidney Blumenthal at The New Republic and Michael Binstein and Jack Anderson's column. It was a feeble attempt to discredit our witness before those hearings even began.

For that, Mr. Perot, you deserve an apology and I so apologize. During these hearings, I suspect people may try again to rewrite history concerning Ross Perot's involvement. Already the committee has heard sworn testimony from a Government employee who claims to have never met Ross Perot in Laos during the war, although four other witnesses, including another Government employee, claimed the individual briefed Mr. Perot on the presence of American POWs in Laos.

Already, we have heard statements from the individuals who claim Mr. Perot's activities quote, unquote blunted U.S. efforts on POWs and MIAs during the 1986-87 time period. As I stated earlier, Mr. Chairman, I remember this period very well and I know that this was not the case. The President had not yet even appointed General Vessey at the time to be his special emissary to Hanoi on this issue. And everyone was looking for a way to jump start this process, including then Vice President George Bush who asked Mr. Perot for his assistance.

This point was made very clear at the time by then Vice Presidential spokesman Marlin Fitzwater, who stated quote, Government agencies are doing an outstanding job, but sometimes private channels can be more effective, unquote.

While some former Government officials claim to have negotiated written agreements with the Vietnamese to resolve this issue before General Vessey's appointment, the facts clearly show that this was not the case. There were no written agreements to resolve this issue and there was no real progress being made at the time.

And when these same former officials now anonymously accuse Mr. Perot of talking about paying money in exchange for POWs and MIAs in 1986, the record will show that 1 year earlier, in February 1985, these same officials were considering the same options. The record will also clearly show that President Reagan and some 275 members in Congress, including my former colleague Jerry Solomon, then chairman of the House POW Task Force, supported and welcomed Mr. Perot's involvement.

So, I believe, in conclusion, Mr. Chairman, that the real question for these hearings today and tomorrow is not what Mr. Perot has done. The real question is, what has our Government done or per-

haps not done since 1973 to locate American POWs who might still be alive.

Mr. Perot, I believe the vantage point from which you have observed and tried to help Government efforts will help us to learn the truth. History will judge you kindly for your commitment. You are a patriot who has given unselfishly of your time and your personal resources. And this Senator appreciates all that you have done for the committee, for the issue, and for me, in my involvement in trying to get the answers. And I look forward to your testimony.

The CHAIRMAN. Senator Reid?

#### STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM NEVADA

Senator REID. Mr. Chairman, thank you very much. I think it is instructive for the four panels that will appear before us today and those that are in the audience to recognize that we have 12 Senators sitting on this panel, 6 Democrats, 6 Republicans. And as both the chairman and the vice-chairman have mentioned today, this is not a bipartisan committee, it is a nonpartisan committee.

This is also the first investigation into missing servicemen that has had subpoena power and the ability to put witnesses under oath and the determination—and in fact we have used both.

History is interesting, if you look at what took place before. There have been at least 11 separate executive and congressional investigations since 1973. Prior to the establishment of this committee, four congressional, six executive branch investigations.

And, in fact, learning the fate of the missing MIA and POWs has been called our highest national priority for almost a decade, but in fact during that decade not a great deal was done. But in less than a year, this committee has found, as Chairman Kerry announced, many unexplored avenues, from the admission by high-level executives of the possibility that some Americans may have been left behind after Homecoming in 1973 to the issuance of a presidential Executive order to declassify basically all MIA/POW material, something that the families of our missing servicemen have been asking for for almost 20 years.

The efforts of both the chairman and vice chairman, Bob Smith, I think are exemplary. I think also that the panels should recognize that we have had over 20 full-time committee staff investigators who have put in literally thousands of hours to this point, trying to arrive at a basic set of facts.

Crucial witnesses who have never been questioned before, such as participants in the Paris peace talks, ambassadors, CIA desk officers, Soviet veterans of the Vietnam War, KGB agents who have worked in Hanoi or Moscow during the Vietnam conflict, and many others.

There have been, with this committee alone, four sets of hearings that have gone into weeks of hearings. As of yesterday, we have had 83 depositions, some of them lasting days. It is expected before this is over there will be 100 depositions or more taken this year.

A group of Senators from this committee traveled to Southeast Asia last April, gaining access to a prison and several military

bases, I think setting a precedent that U.S. teams must follow in the future.

This committee sunsets the end of this Congress. We have lots of work to do. The work today begins with these four panels. Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Reid. Senator McCain.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator McCAIN. Thank you, Mr. Chairman. Mr. Perot, I want to welcome you here today and make note of the fact that there is no person who is involved or committed to the return of the American POWs that does not hold for you everlasting gratitude and appreciation for your efforts during those years.

You are a leader and a person who in some ways to whom can be attributed the return of some of the American POWs in far better condition, and maybe even alive, because of your efforts to bring the attention of the world and the American people to the plight of the POWs. And I am very grateful that you are here today and taking time from your very busy schedule.

Having said that, I would like to tell you that for those who have followed these hearings, it is well known that I have asked tough questions. Because tough questions have to be asked if we are going to get the answers to this very perplexing and disappointing issue that has plagued America for over 20 years. So I intend to do that today, since I believe that you have information that is very important for the committee to know, otherwise you would not be here.

I would like to make one additional fact known about the work that has gone on in the last year, and that is an issue that I know you are also concerned about and that is the hoaxers; the ones who have perpetrated fraudulent photos, sent out fundraising letters, and really done the most despicable things to raise the hopes and reignite the emotions of so many friends and family members of those who are listed as missing in action.

If I have one regret about the work of this committee, it is that we have not done the work that we should have in that side of this issue, and I deeply disappointed that we have barely even appointed investigators, much less given this issue the attention that it deserves.

So, Mr. Perot, I again welcome you and express our deep appreciation for all you have done. And I apologize that I may have to leave because there is a hearing on the Senate Armed Services Committee with some military witnesses as to whether we should get involved in another Vietnam, this one called the Balkans. And I do not want to have to ask you some years from now to be involved in another POW effort, because we have got people in prison in Bosnia.

So I hope you will forgive my absence for a few minutes, and I will back. And, again, thank you for being here today.

The CHAIRMAN. Thank you very much, Senator McCain. Let me just say for the record that while the fraud aspect of the investigation is tiered at the end of our investigation, I think both the chair and vice chair feel confident that that will be fully aired in the

course of the next 4 months. And hearings are planned in November on the fraud aspect. So I think that before the committee's work is fully done, there will be a full airing of that issue.

Senator Grassley.

STATEMENT OF HON. CHARLES E. GRASSLEY, U.S. SENATOR FROM IOWA

Senator GRASSLEY. First of all, let me say to Mr. Perot, before I give my opening statement, that I appreciate very much his cooperation with this committee. More importantly, even before this committee met, he has met with many Members of Congress, including this Member of the Senate, to discuss this issue years before this committee was ever set up. And I appreciate your going out of your way to meet with us to discuss your point of view on these issues.

It occurs to me that there is probably not anyone in America who has been more closely involved with the POW/MIA issue for as long as Ross Perot. At least no one has been such a diligent student of the problems as well as so active in attempts to seek resolution. Much of his labors have been as a private citizen, although he has served at the request of the President as well. And he has devoted countless hours of his valuable time, as well as personal treasure, to attend to the needs of the captives, to solve mysteries, and to bring our men home.

For his devotion to this cause, I hope all Americans are very grateful. I am sure that contentious issues of fact and opinion will surface at our hearings today and tomorrow. That seems to be the nature of this issue. It is also a reflection of the fact that we will be discussing events that happened nearly a quarter of a century ago, when Ross Perot first became involved. This is a long time to remember facts with great precision.

So it is my hope that our efforts will focus on what Mr. Perot has learned about POWs and MIAs over the 23 years, and what prescription he can recommend to us. I look upon Ross Perot as an expert witness, one whose intimate involvement with policy, intelligence, and operations we should exploit to the fullest, and I look forward eagerly to his testimony.

So, Mr. Perot, I am extremely pleased to welcome you here today and I wish you—I wish to express to you my personal gratitude to you for the years of devotion that you have given to this most tragic issue. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Grassley. Senator Kohl.

STATEMENT OF HON. HERB KOHL, U.S. SENATOR FROM WISCONSIN

Senator KOHL. Thank you very much, Mr. Chairman.

Mr. Perot, I was involved in business before I got into public life. And, Mr. Perot, you were wise enough to return to the business world after the considering the possibility of seeking public office. I may not agree with the decision you reached, but in truth I sometimes envy it.

Even as a businessman, however, Mr. Perot, you have always been engaged in public issues. And this hearing is an attempt to explore what you found out in the process with respect to our POW/MIAs in Southeast Asia. We are all pleased to have you with us today, and we very much look forward to your testimony and we welcome you here.

The CHAIRMAN. Thank you, Senator Kohl.  
Senator Brown.

**STATEMENT OF HON. HANK BROWN, U.S. SENATOR FROM COLORADO**

Senator BROWN. Mr. Perot, I join the others in welcoming you here. Vietnam is a conflict where some of our leaders in this Nation broke faith with the men and women who serve this country in the field. You have a reputation, though, of just the opposite. You have a reputation, well deserved I believe, of keeping faith with those who work for you and those who served this Nation in combat. For that we all salute you and welcome you here and look forward to your testimony.

The CHAIRMAN. Senator Daschle.

**STATEMENT OF HON. THOMAS A. DASCHLE, U.S. SENATOR FROM SOUTH DAKOTA**

Senator DASCHLE. Thank you, Mr. Chairman. I too would like to welcome Mr. Perot. I would remind him and our committee about how quickly our time is running out, how little we have left to accomplish all that this committee is charged to do.

I have had two frustrations over the course of the last year. The first is what I consider to be a dismaying lack of ability on the part of Government to do this, up until the time this committee was formed. That is to collect the data, to come to some conclusion about what has to be done and what information has to be released. And second the conflicting information that continues to undermine our ability to establish fact.

We have two real responsibilities. The first, to determine fact as we best can establish it. And second, to release to the maximum degree possible all information pertaining to POWs and our policy over the last 20 years. My hope is that you, Mr. Perot, with all of the effort that you have demonstrated for the last 20 years to establish those facts, to ascertain the best information, your attitude of assistance toward your Government can be demonstrated yet once more as we establish that fact, as we release that information, as we finally come to grips with the problems that face us in this committee.

Again, let me welcome you for all of us who have admired your work and we look forward to listening to you soon.

The CHAIRMAN. Senator Robb.

**STATEMENT OF HON. CHARLES S. ROBB, U.S. SENATOR FROM VIRGINIA**

Senator ROBB. Thank you, Mr. Chairman. I am delighted to welcome Mr. Perot and the other panelists today. I think they have probably heard as much as they need to hear from us, and we

would like to hear from them at this point. Many of us will have to come and go a number of times during the day because of other conflicting appointments. I hope you will not find that that, for any reason, takes away from our interest in your testimony.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Robb. Senator Kassebaum.

**STATEMENT OF HON. NANCY LANDON KASSEBAUM, U.S. SENATOR FROM KANSAS**

Senator KASSEBAUM. Mr. Perot, I too join my colleagues in commending your early efforts to raise the profile of the prisoner of war issue during the Vietnam conflict. I think there is no doubt that that really improved the condition of the prisoners of war.

I think, for me, one of the key issues, and I will be interested in hearing why and for how long you have thought there were live prisoners of war in Southeast Asia. And I look forward to hearing your testimony, and thank you for coming today.

The CHAIRMAN. Thank you very much, Senator Kassebaum.

Let me just say for the record that Senator Kerrey, Bob Kerrey, is presiding over the Senate, which is why he is not here to also welcome you now, but he will be shortly. And Senator Helms is ill and not present at this moment.

So, Mr. Perot, you are well welcomed in the best traditions of the Senate this morning, and appropriately so and now we look forward to your testimony and opening statement, and then we will have some 10 minute rounds of questions, at least for a first round, and then see where we are in terms of maybe a larger amount of time for follow-up questions after that.

The floor is yours.

**TESTIMONY OF H. ROSS PEROT; ACCOMPANIED BY DAVID BRYANT, ATTORNEY**

Mr. PEROT. In keeping with Senator McCain's remarks on the committee hearing he has to go to, there is one basic lesson that should be carved across every citizen's forehead in this country from Vietnam.

The CHAIRMAN. Could I ask you a little favor. If you could pull the mike just a little up and toward you.

Mr. PEROT. There is one basic question that should be carved right across each citizen's forehead in this country from Vietnam, and that is you don't send people out to fight and die unless the American people go with them in spirit. We committed our troops in Vietnam, we never committed the Nation, and the rest is history. And that's the reason we're having this meeting today.

The second thing, to put it all in perspective. I got started on this process because Murphy Martin, who will testify this afternoon, brought in a young lady and a little 3-year-old boy: Bonnie Singleton and her little boy. The little boy had never seen his father; he didn't know if he had a father. His father had been shot down flying into Laos with no U.S. markings on the airplane, with tapes over his insignia. The same old ground rules: CIA ran the war, but watch my lips, uniformed military personnel were fighting and flying it.

Now the New York Times has an excellent reputation and is one of our most professional newspapers. I'm sure most of you read the story this morning.

The CHAIRMAN: Mr. Perot, could you just bring the mike down a little bit.

Mr. PEROT: OK, very sensitive mike here.

The CHAIRMAN: There you go, yes.

Mr. PEROT: "Because the United States did not send ground troops into Laos," that's how covered up the whole thing has been all these years. And all I can say is read about Operation White Star. Read about Colonel Bull Simons. Read about the special forces people that lived up there. They were uniformed military personnel.

Two or 3 years ago I spoke to a group of retired senior military officers and their families. And I mentioned that if there was one thing I hoped would never happen again, and that is we'd fight a war using military troops with the CIA running it. And if I had a videotape of those admirals and generals faces as I said those words, you would understand the complete confirmation that this is something you must never do.

As I speak today, look at that map. Just look at that map. Those are live-sighting reports. Discount 98 percent of them, discount 99 percent of them, discount 99.9 percent of them, and can we agree that if there is one living American held against his will in Vietnam, Laos, or Cambodia or in the Golden Triangle in Burma, that the principle is the same, that we have an absolute obligation to bring that person home?

And you may say, as one person told me years ago, don't you realize that they're old, don't you realize their wives have remarried, don't you realize that their children have grown, don't you realize how angry they would be? I don't care if the guy fights with you on the airplane all the way home and dies a minute after he lands here, we owe it to him to bring him home.

We pledged to those people we would not leave them behind when we sent them into combat. And when you go into combat, particularly as a single-seater fighter pilot and you're hundreds of miles out there by yourself, you got to believe two things. No. 1, that nobody can shoot you down. And No. 2, if they do we'll come get you. We left them.

And to put it in perspective, as I walked in here today—and this was not rehearsed—a young lady came up to me with a baby and said I hope we'll get his grandfather home. This lady has grown up without her father. I have five grandsons that I enjoy every day; I'm sure some of you do too. This little grandchild has never seen his grandfather, if he's still alive. His daughter has never known—imagine what it's like to grow up and not know.

I share your concern about the hoaxers. My own experience, since I've had very little contact with them except they call me over the phone, is that most of them are well-intentioned. I put them as bush league, minor league, non league, compared to Federal employees who have covered up, dissembled, and finessed this issue for 20 some odd years.

We're paying those folks. It is their job. I find it interesting how we coddle some of these Federal employees who you want to come

in to testify, and yet there is a whole different set of ground rules just for an everyday citizen like myself.

Now I'm happy to be here. I don't care about my image; I care about the facts, I care about the issues. And there is no question in my mind that we left people behind and we left people in Laos, and I think I can prove it to any rational person.

Very quickly, in 1969 I was speaking with John Warner who was then Secretary of the Navy. A close friend of mine, Colonel Bill Leftwich who was a highly decorated Marine, finished one tour in Vietnam, killed on his second tour, and I were visiting. We were talking about the POWs.

I indicated a willingness to do what I could, and at that point it was all covered up, the families were told not to speak out. Sybil Stockdale, Jim Stockdale's wife, was taking a tremendous beating here in Washington because she and wives felt that the men were being forgotten.

Secretary of Defense Laird felt they should speak out. Colonel Chappy James, later General James, felt they should speak out. Dick Capon in the Department of Defense—I went from John Warner to Dick Capon to Chappy James, and then some time later this led to a meeting with Dr. Kissinger, who asked me to get involved, who introduced me to Colonel Alexander Haig, who was to be my day-to-day contact.

In December of 19—and we started a series of processes to arouse the American people. In December of 1969 I met with President Nixon. We had a long discussion; we had a discussion. Throughout these discussions there was a constant theme with Dr. Kissinger, Secretary Warner, and others. They felt it would take 3 years to Vietnamize the war. They felt that many of the men would die of brutality and neglect.

They asked me to bring out a private effort; that I would have to fund it completely privately because it would lose all of its credibility if it was ever leaked. And my experience over 20 years, one constant is everything will leak 100 percent—not 90, 100 percent, including my efforts to help this committee, leak and get distorted, I might add, something I suggest you work on.

So I funded it out of my pocket. We made the Christmas trip to Laos. Now history has been rewritten on the early phase ever since the petition-signing process, and this shows you the sickness of our Government. What does this have to do with whether or not the American people want to put me on the ballot? Nothing. But you have to redefine this character, so you go out and blatantly lie and you use the resources of the Federal Government to do it. And everybody plays games with the lives of those people right there and it's sick and I'm ashamed of it.

The Christmas trip was planned to go to Laos; that's as close as we could get to Vietnam. We took medical supplies and other items needed by the prisoners. We were very precise about what we would take, and we got that information from returned POWs Fishman and Bergdahl.

We got to Laos. The Laotians would not let us deliver the supplies—excuse me, the Vietnamese Embassy would not let us go on into Hanoi. But they said if we would take them to Moscow by December 31, they would be delivered.

I then went to see the Russian Ambassador, who greeted me warmly as a humanitarian. I then explained to him why I had come to see him. He couldn't believe his friends down the street had done this to him, as far as telling me I could go to Moscow. He asked me to wait on the ground. I told him I didn't have time to wait on the ground and get there by December 31, and that every time I landed we would check in with the Russians and make sure it was OK to land in Russia.

Well we got all the way—we flew over the North Pole, got all the way to Copenhagen, and sat there on the morning of December 31. We went in to see the Russian Ambassador in Copenhagen and he said did you really think we would ever let you take these supplies to Moscow? I said, well, I took you at your word. The Vietnamese Ambassador to Laos said I could. Your Russian Ambassador thought it was a warm, great humanitarian thing to do and said he thought he could get it cleared. He said, well you can't.

Well unfortunately the medical supplies never got to the men. The good news is there was no competing news on that trip and by the time we got home the whole world was aroused about the plight of our POWs.

While I was in Laos, the Vietnamese Ambassador criticized me saying that if I were a true humanitarian I would show the same interest about the prisoners being held in the South, the North Vietnamese prisoners being held in the South, that I had shown for our people. So I went back on a second trip.

Now again this history has been rewritten. I'm supposed to be doing this on my own out of control, not with the clearance of the Federal Government, right? Don't you find it interesting that I was allowed to go into every prisoner of war camp in the South and take film and get mail. Don't you find it interesting that I was warmly greeted by the U.S. Ambassador and given every courtesy and consideration? Don't you find it interesting that our Government had arranged for me to meet with President Thieu?

Well we took all that. We got the mail, we got the pictures.

Senator REID. What is the date of the second trip?

Mr. PEROT. Spring of 1970, sir. We took all that information, took it to the ambassador, the Vietnamese Ambassador to Laos, as close as you can get to Hanoi, and he refused to accept it.

In the meantime, back at Christmas 1969 we sent a planeload of wives to Paris, and children. And they spent Christmas in Paris. These same people that still don't know if their husbands are dead or alive spent their Christmas in Paris in 1969. That had an enormous impact on the world.

So having failed to be able to deliver all this information that they wanted to, we wanted assure them that the Geneva Accords were being observed in the South. I personally went through the prisoner of war camps. They were in good condition, the prisoners were being well cared for, they were being properly fed. We took endless tape to show that this was true, and we brought mail from the prisoners back to their families, all of which they refused to accept. Then we took that to Paris. They refused to accept it there.

We were then asked to speak to various committees of Congress and we set up a number of activities in this country to again arouse the American people, and that was done. The most signifi-

cant thing that happened in this country is that across the country State delegations, on their own, organized massive mail ins and took huge amounts of mail to Paris.

The treatment of the prisoners changed dramatically. It correlated directly with the events. At the end of the war in 1973 when the prisoners came home from Vietnam, when the first plane landed in the Philippines, I got a call from one of the senior officers thanking me for our efforts. And I told him I was amazed that he knew. He laughed. He said, Ross, from 1969 on everybody flying North was briefed on what you were doing so that we could tell the other guys in the camps if we got shot down that they were not forgotten by the people at home.

Again, the only reason I bring that to your attention is history has been rewritten in the last 2 or 3 months. I find it odd that the Government was briefing pilots going on missions then and now denies any direct involvement with me.

After they came home, we had two major events for the prisoners. One, a San Francisco weekend where the prisoners came together for the first time to honor the men who went to Son Tay to try to rescue them.

If you recall the Son Tay raid, 20 miles outside Hanoi, the most heavily defended city in the history of warfare, a handful of special forces people went 300 miles behind enemy lines, successfully got into the prison camp. The prisoners had been transferred from the camp. Colonel Simons led the raid.

All of his men returned safely. The only casualty was a broken ankle when a fire extinguisher came off a helicopter in a hard landing. The sad part is the raid was delayed. If it had been done at an earlier point in time, we would have gotten the people from Son Tay.

The prisoners wanted to come together and thank the men who went to Son Tay for trying to save their lives because, believe me, nobody thanked them back here. And if you go back and look at that, it's a sad episode in our country's history where the senior parts of this country, including the House and Senate, ridiculed the effort. They did the right thing, and the POWs appreciated it and the POWs were home.

This is important for your present efforts. As the men were being led to the planes at Ton Son Nhut Airport outside Saigon—Hanoi, excuse me, excuse me—I'm wrong on the airport. Being led to the airport outside Hanoi, the senior prison officials told them you know the most serious mistake we made during the war was the brutal treatment of the prisoners in the early years; it's the only thing that united the American people against us.

There's a message here. The American people are not focused on who might be left up on that map there. The Vietnamese are very very sensitive about what we are interested in. Your committee has done brilliant work, in my judgment, in getting this back to the surface.

I'm a person who has been very fortunate, but my most treasured tangible possession is the picture that you referred to earlier signed by all the POWs. If I could keep one thing, I'd just keep that. I have scrapbooks of letters that the men wrote me when they came home that rank right with it. I have many many many pic-

tures that people—the prisoners sent me that I keep and treasure, and my most treasured picture is little Billy Singleton pointing at his father the night he saw him for the first time.

Let's go back to that little baby. Let's go back to his mother. Can you imagine what it would mean to her to point at her father and see him after all these years? Now there's only one reason that we haven't done it, and that is we've never faced the issue.

We left men in Laos. There's no question we left men in Laos. If you—let me just go through the litany. On our Christmas trip—excuse me, on the spring trip in Laos I visited with Soth Petras, who was a senior Pathet Lao official in Laos. He boasted about holding prisoners. He boasted about holding large numbers of prisoners. I asked him if he would give me a list of the prisoners, and interestingly enough he said—because it would mean so much to the families, to know if the men were alive.

And interestingly enough, he said I see no reason why not, come back tomorrow. I came back the next day, he said I've checked with my superiors and the answer is no. And I just draw one line in the sand right there. He said he had them. He boasted about having them.

Now prior to that I was briefed—now isn't this interesting. Here's this—you know, this history is rewritten. Here's this odd duck wandering around the world on his own suddenly being briefed in the embassy by the CIA station chief about where the prisoners are being held and how they know it.

Now I'm not allowed to give his name today, which I find interesting. We've got to coddle him, right? Can you imagine the exposure my family has had over the years. The Vietnamese sent people to Canada in 1970 with instructions to kill me and my family, and for 4 years my children lived with that.

But no, see, it's a Government employee so we've got to—we've got to hide him, pamper him, and so on and so forth. Now he claims that meeting didn't take place, but three of my associates—excuse me, two of my associates were in the room when it took place. It's my understanding that the man who set up the meeting remembers that it took place.

But I'll just tell you right here—I'm under oath and it took place. So I got it from the CIA station chief, I got it from Soth Petras, in spring of 1970.

The CHAIRMAN. Excuse me for interrupting you, Mr. Perot. Let me just tell you that I do not think he is going to be coddled. We are meeting with him this afternoon.

Mr. PEROT. Yes, in closed testimony.

The CHAIRMAN. Initially he will give closed testimony, but if needs be it will be made public.

Mr. PEROT. All right, sir. Whatever you say. Now let's go on.

The CHAIRMAN. Well that is the same thing we did with you, Mr. Perot. You initially gave closed testimony.

Mr. PEROT. Let's go on. Now we're in Laos, and I'm going to focus you on Laos because nobody came out of Laos. The only people that came out of Laos were people who were captured by Vietnamese troops on the border of Laos; nine people came out.

Was there ever anyone in Laos? General Vernon Walters, in testimony before Congress in 1976, page 3, says except for permanent

installations in the vicinity of Hanoi and Sam Neua, parenthesis, the Pathet Lao capital, the enemy forces did not maintain prison of war camps in the popular sense. Well all the briefings centered about Sam Neua with the embassy officials.

Then let's go back to the information that—and, again, I commend you on the information that you've had declassified after all these years. There's no reason it should have been classified.

Here is a letter from Mr. Eagleburger, acting Assistant Secretary of State, Assistant Secretary of Defense, I guess—yes, internal security affairs, to the Secretary of Defense. He talks about: The Pathet Lao may hold a number of unidentified U.S. POWs, although we cannot accurately judge how many. The American Embassy in Vientiane agrees with this judgment. It says: Defense Intelligence lists approximately 350 U.S. military and civilians as missing or captured in Laos.

Now the war is over, the prisoners have come out of Hanoi, and this is what's being written at the highest levels of the Defense Department: "There has been no accounting of U.S. personnel in Laos other than the one February list of 10 who were probably all captured in Laos by the North Vietnamese rather than Pathet Lao. We still have the Laos MIA question remaining unresolved. There appears to be a need for a well-orchestrated plan for solving the problem of our Laos POWs and MIAs." This is March, 1973. The same need exists today.

Here's the letter from Secretary Richardson to the head of the National Security Council. I am concerned over the situation in Laos regarding our men who are still being held prisoner or missing. To date there's been no accounting of U.S. personnel missing in Laos, other than the one February 1973 list of 10 men who were probably all captured by the North Vietnamese rather than Pathet Lao.

The CHAIRMAN. Could I just again interrupt you quickly to ask a question. The committee is well aware of these documents because they have only just recently surfaced.

Mr. PEROT. Yes.

The CHAIRMAN. When is the first time that you became aware of these documents?

Mr. PEROT. When I read about them in the newspaper.

The CHAIRMAN. Just recently.

Mr. PEROT. Yes.

The CHAIRMAN. OK.

Mr. PEROT. Yes. But, again, there's nothing secret about this. This is just kind of correspondence back and forth.

Now let's go back to the—now we have the CIA station chief. We've got Soth Petras talking about these people. Right here we've got the Secretary of Defense and the Assistant Secretary of Defense talking about these people.

And now we're at the Paris Peace Conference and we just go to the newspapers, which have never been classified, and the people at—our people at the Paris Peace Conference were asked what about the people in Laos. And our people replied, oh, we'll get them back through Hanoi. Very quickly the Pathet Lao said oh, no, you will have to deal directly with us. It's all in the newspapers, so we can't hide behind classifications here.

Then the question was do you hold prisoners? And the direct quote was we hold tens of ten. For years I thought that way a Pathet Lao was of saying large numbers, and then I happened to meet a person who was in the Royal Lao Intelligence and ask him what tens of ten meant, and he said they held the prisoners in groups of ten and it did mean large numbers but it meant tens of ten groups of ten in a group.

This man has testified before your committee, and I believe has made it clear that at the end of the war there were a substantial number of prisoners there. So the Pathet Lao boasted about this and said that we would not get these prisoners—this is important. We would not get these prisoners until we paid the Nixon reparations money and they got their piece of it. As you know, when the prisoners came home Congress decided not to pay the Nixon reparations money.

Let me just say something as clearly as I can here, and please give me your attention. I realize you've got aides giving you three by five cards and all that stuff, but just for 1 minute listen to me. We ransomed the people out of Hanoi. We ransomed our prisoners out of Hanoi. Senator McCain is able to sit right here today because we ransomed him out of Hanoi, but we never wrote the check. And that's what caused the people to be left in Laos.

If you go read the fine print, you'll see there are all kinds of interesting little stories at this point in time, people fluttering around on this issue. And then, if you want to know why this thing died at the point, keep in mind these letters were written in late March. And there is not a hint in these letters that anything has happened to the 350 prisoners that are there.

Two weeks later the Defense Department declared them all dead, and the rest is history. Here we have the Secretary of Defense saying to the head of the National Security Council—I didn't read this part of it. He says we maybe need to go in and have some more air strikes to shake these guys up. And 2 weeks later we declared them all dead.

Dr. Roger Shields did it. He told me directly over the phone years later when I was doing my study that he did it under orders. You have his testimony; I don't know what his testimony is now.

Why was that done? Watergate. The Government was in crisis. The war was over. Prisoners were home, quote. There was not a war in Laos. Keep in mind, there was not a war in Laos, folks. We never admitted it, and yet we had all of these people in uniform—who were uniformed military personnel flying missions and fighting on the ground in Laos. Who trained Vang Pao's troops? It wasn't the Girl Guides, I'll tell you that. We had a war in Laos but we never admitted it so we just shut it down, and the rest is history.

OK, now moving ahead quickly—in case you're interested and since history has been rewritten, in 1976 there was a series of interesting interviews with people in terms of their perspective about my involvement at that time. And they're on audiotape, because these were oral interviews taken directly with the people.

I'll just give you a couple of sound bites to put it in perspective, since history is being rewritten. From George Bush: Dedicated and principled were the two words I'd use in describing Ross Perot,

whose unselfish dedication to country—I kept feeling a sense of respect for his dedication, what he was trying to do. He was asked—he said what are Perot's weaknesses? He said: I think he's so openly honest and openly uncomplicated in terms of patriotism, that he might get rendered less effective for that reason, but to me it's an asset and not a liability.

I don't want to bore you with this, and the only reason I even bring it up.

Senator REID. When was that said?

Mr. PEROT. 1976. This is 3 years after the war. Chappy James, first black four-star general: All the warriors love Perot. To them he was a daring guy. He understood us. He is articulate, tough, and direct. Through all this, this stable guy who was always there and tried to calm them down and also understood where we were coming from and never lost faith in us and what we were trying to do was Ross Perot. He was the steady, stable factor right in there, and I could draw more strength from Ross than from anyone else.

Senator REID. Again, what was the date on that?

Mr. PEROT. Same time, 1976. All these interviews took place at the same time. Mr. Martin, who's here today, did the interviews.

Roger Shields, who was ordered to declare the men dead: Ross was smart enough to know what was going on. He was smart enough to know the pitfalls. And I think because he was smart enough to check and say now look, if this is wrong, if it does not fit in, if it is off the mark, counterproductive, let me know. That's the role I've always played. Change of treatment. I think he had a big part in it. That's Roger Shields.

Now, very quickly, we'll go to just one other and we'll go on to General Scowcroft, whose been around this issue forever and who, in my judgment, is one of the finest people in our Government. Now here's my kind of guy. It's 1975, Saigon is falling, can you imagine what his life must have been like that day? He was head of the National Security Council.

Former POWs were so concerned about a man named Nguyen Van Dat, who had lived with them in the prison camps, who was a South Vietnamese fighter pilot who had been brutally treated because he would slip them medicine and food when they were dying. We had identified him publicly. He had come to this country. We had honored him with a cross-country tour which he richly deserved.

And now he was in Saigon with his family and it was falling and former POWs who had been through hell were as close as Bangkok, going in to get him back. And wouldn't it be nice if everybody in this country had that kind of courage. They were going in to get him back.

I talked to them on the phone. I finally got them on the phone in Bangkok. I said, guys, do not cross the border, let me try. I called Brent Scowcroft and he laughed. He said, Ross, it's a busy day. And I say I understand. He says well I understand why we need to get him. One hour later special forces land and a van showed up. They put Nguyen Van Dat in the trunk of a special forces officer's car. They put 19 of his family members in the van, took him to Tan Son Nhut Airport, he's back in this country, he's a U.S. citizen.

Now we should have looked about Nguyen Van Dat. And Brent Scowcroft got my undying respect that day, because, you know, he proved that nothing is more important than one person that has stood by people and served them.

So very quickly from Brent here: He has dedicated the effort, the time, the money, from an altruistic motive to help this country, to help his fellow man, to help his fellow servicemen. It's the finest example of American patriotism. It's too seldom seen today. His behavior is in the finest American tradition, and is an inspiration to us all.

Now I don't say any of this for self-serving. I say this because I'm sick of having it rewritten. I never said a word about it at the end of the war. These things have never been printed or published. Well I could go on. We've got State Department officials saying the same thing. They'll be up here tomorrow, and if they rewrite history I'll come back, if you'll let me, and we'll clean that up. But I won't bore you with it right now.

Now then, after the war we had a whole series of events where I was asked to help the Government, where the Government pledged that my name would never surface, and it always did and put my family at further risk. I supplied all the on-the-ground intelligence from November through the end of the year when the 52 hostages were taken in Tehran. And when you think how much you spend every year on the CIA you'd think they could have gotten somebody on the ground, right?

When General Dozier was captured I worked very closely with the senior levels of the Government in an effort for his recovery. On the hostages in Beirut, on several occasions I was asked to help there, and I did. Again, all with the pledge that none of this would ever surface, and of course, right on cue it surfaced.

In 1986 I was asked to serve on the Tighe Commission. I was busy at the time and told them I couldn't. General Risner served on my behalf.

Early in 1986, I got a call from the Vice President. There was a man in Singapore in jail who had a tape of prisoners of war being used as slaves in the Golden Triangle. Vice President Bush asked me if I would buy the tape from him. The man wanted \$4.2 million, the Vice President said that I would be reimbursed by the Federal Government if the tape were authentic. Then he said a General Lenny Peroots would call me from Defense Intelligence and brief me on the details.

General Peroots called me. To make a long story short, the man was in jail in Singapore. We could get him out on bail for \$100,000 but he couldn't leave Singapore and the tape was in Bangkok. So we had to find an Indian businessman that he had ripped off for \$45,000, pay the Indian businessman \$45,000, and the fellow got out of jail, went to Bangkok, and right there a man I had never heard of from the White House staff, the Vice President's staff, named Don Gregg called and said we have decided not to reimburse you. Well, this was like an old movie in my life in dealing with the Federal Government. I said OK.

Then General Peroots called and apologized profusely. And I said, I'll go ahead, fellows, but I want to know one thing. Who made the policy decision? Well, they all froze on that, because

these are Federal employees so you've got to coddle them, right? And I said, well, surely the fellow's mother thought enough of him to give a name when he was born, so just tell me his name. And they froze on that.

I said, well, let me speak to the Vice President. Well, he was out of the country. He came back in the country. I said ask him to call me when he comes back. I didn't hear from him. I called him, and he said he did not know anything about it, and I said well, call General Peroots and call Don Gregg because they are the people who have been telling me about it, and then all I want to know is who made the policy decision? Well, I never got a call back.

Meantime, the guy's out of jail. I called the Vice President's office. I says he's out of jail. We'll never see him again. And lo and behold, he did go to Bangkok, he did call me from Bangkok and said he had the tape, was ready to come to the United States. Keep in mind, a Special Forces officer, a former POW named Mark Smith, had seen this tape. And the thing that captured my attention, Mark Smith said when he saw it, he cried, because these were POWs being used as slaves in the Golden Triangle. Well, Special Forces guys don't cry very easily, so that caught my attention.

Well, to make a long story short, this man was coming to the United States. He has several names—O'Bassey, Gregson—maybe somebody somewhere knows his real name. He wanted me to buy him a plane ticket. I said no, for \$4.2 million you buy your own plane ticket. He laughed. He said I thought I'd try. I keep the Vice President's office informed. He comes to Washington. He calls me. He says I am in Washington, I'm on my way to Texas. I said fine. He says no, your people tried to arrest me. And this fellow was really mad at me because he thought I had set him up. And I convinced him I didn't know anything about it, the deal was still good. They missed him at the airport. They tried.

So then I started calling Washington saying who is trying to arrest this guy? We want the tape. Well, I never got an answer to that. To make a long story short, he fled the country and the last time I heard from him he was in Beirut getting knee surgery. So that is just one more misfire.

That was in early—say that ran through the spring and early summer of 1986. The Tighe Commission report was released—was finished. They asked me to come in. The Vice President asked me to come in and do a followup study. And I said there is no need to. We know we left men in Laos. And I don't think the Government will do anything about it anyhow. He assured me they would, and I said I want the President to assure me personally that he will. The President assured me personally that he would do something about it. And so I commenced my study.

In the middle of this study, out of the blue, the Vietnamese invited me to visit—now, this was publicly known that I was doing a study—they invited me to come to Hanoi. Well, this was kind of a shock to me because all they had ever done to me before was try to kill me. And they actually got to my house one time—their representatives did—and fortunately, didn't make it to the house, but they got to the front yard.

Now, keep in mind—see, my timing is bad for some reason. We now have Iran-contra. At the end of the war we had Watergate.

Now, we have another White House crisis—Iran-contra. So we've got turmoil in the National Security Council, everybody is on the defensive, everybody is trying to protect his position, and I am finishing my study and the Vietnamese ask me to visit.

I go to see the Chief of Staff Don Regan because I was having trouble getting answers anywhere else, and asked him if they wanted me to go see the Vietnamese. And I told him that I had sent word back to the Vietnamese I would not go until I had sent an advance team in, I wanted to make sure that they were willing to talk about POWs, and I would not go unless my Government cleared it. And I would not go unless they sent me a written invitation.

I explained to Don Regan why I had come to him. I explained to him that I could not go through the National Security Council because it was suddenly in an adversarial mode and I felt it would leak it to the press. I visited with Don Regan in the middle of the day and it ran on the 5:00 news. The next morning he apologized to me saying he felt he had to tell the National Security Council. Sam Donaldson got the story. He got it from people who will be testifying before you in the next few days. It shows you where their priorities are. Turf is more important than that. Power and control is more important than one man left alive held against his will. And until we get that straightened out up here, we won't have much of a Government.

Finally, I couldn't get an answer from anybody because everybody was in a defensive mode around Iran-contra. It was Wednesday before the Sunday I was supposed to go, the advance team had gone in, I had received a written invitation, I had kept the White House fully posted. I called up and said do you want me to go or not? Senator Howard Baker, who was then the new Chief of Staff, called back and said we want you to go. We want you to go as a private citizen, not as a Government emissary, and very candidly the reason he said they didn't want me to go as a Government emissary is with all the headaches they had they didn't need one more headache like Ross Perot, Government emissary, held in Hanoi. And we want you to try to talk to them about having General Vessey as the President's negotiator, which I was in favor of and which was a good idea. And I said fine.

Well, I left on Sunday as a private citizen, went to Hanoi, visited with the Vietnamese, did everything they asked me to do, came back, briefed Senator Baker, asked to meet privately with President Reagan to give him a letter summarizing the findings of my experience and the study and the trip. I asked to meet just with Senator Baker and President Reagan. I was assured that I could. The meeting was set on May 6. When I got there we had two members from the National Security Council, Mr. Carlucci and General Powell. Mr. Baker pulled me aside and apologized and said that they insisted on being there and there was nothing he could do about it.

We visited with the President, I gave him the letter, went over the letter with him, and I will be glad to go through the letter with you because I think it covers the core of what I think we need to do still. And that was the end of the study, when I gave the President the letter.

Mr. McKillop, who accompanied me to Hanoi on the meeting and who made the advance trip to Hanoi, was invited by the Vietnamese several times after this to go back to Hanoi. He visited with them. There were no significant results. Mr. Thach, the Foreign Minister, came to New York, the UN, in 1988, wanted to visit with me. I visited with him and briefed the National Security Council about that visit.

From that point on, all my Government activities—well, you know—1989, when we had Panama, I was called immediately for emergency funds for the people of Panama, assisted the families and the wounded from Panama. 1990 and 1991, I was called again to assist the families and wounded in Desert Storm. In 1991—this is a small world and its history is being rewritten—now, just think about it. This is after your committee started, suddenly I get a call from the CIA asking me to supply money to the Defense Department that they didn't have so they could get work done for you. And I said fine, just have Brent Scowcroft call me and OK it.

Now, if you look at how we operate, anytime I get a call like this there's a pattern. I'll say have the head of the National Security Council give me a green light and I'll do it. I never heard back. It didn't surprise me. I think this was—this was a senior guy in the CIA. But I'd say it was not politically correct to do it at that point in time, so I never heard back. I hope they got the money and I hope they are doing the work. A Mr. Ford from the Defense Department was supposed to be the man that needed the money, and I waited to hear, never heard, and let that one pass.

That brings us pretty much up to sum of my activities, and I think probably the highest and best use of your time now would be for me to answer your questions, and I hope I haven't taken too long. But let's close on this thought—let's close on just this thought: You know how much your children mean to you. You know how much your parents mean to you. You know how much anybody you love means to you. Just think how much those people up there on the map mean to their families, and think what it would be like if you had lived in hell, just lived in hell for 20-some-odd years, think what it would be like to spend a few years back here before you died. Think what it would be like.

Now, we haven't mentioned Russia. We haven't mentioned Korea. Hell, the record in Korea is worse than it is here, in terms of numbers. And if you question that, read General Mark Clark's testimony. Russia? They took people at the end of World War II, they took people from Korea, and they took people from Vietnam. And all you've got to do is go dig through the SIGINT, particularly around Vietnam, and you'll find it.

We have an enormous capability to gather this information. Thank God you have had the guts to force it out in the open. There is no reason for that SIGINT to be secret now. The wall has come tumbling down. The world has changed. The technology we used to break the codes and the technology back in Laos during the war is so primitive it would be like the wedge and the hammer. You're not giving up any secrets. Let's stop covering it up. Let's expose it. Korea, Russia, Cambodia, Laos, Vietnam, Golden Triangle, those jump at you. Maybe I've missed some that you think of.

But how would you like to be a person just like you sitting over there rotting in Russia since World War II, Korea, or Vietnam?

Thank you very much.

The CHAIRMAN. Thank you very much, Mr. Perot. [Applause.]

The CHAIRMAN. There will be no demonstrations. Let me give a warning now, if I may, that there will be no demonstrations on either side of any questions that are asked or answers given, and if anybody sees fit to try to demonstrate, this warning will serve as notice to the Sergeant at Arms that we will politely ask people to be removed. The committee wants to do its work.

Now, Mr. Perot, I appreciate your testimony. You have touched on a great many areas. There are a lot of questions for us to ask, questions of large scope and questions of detail. There is a lot of emotion, obviously, in what you have talked about. If you come before the committee and you talk about a person with a child that greets you coming in here and this is a child that has never known a grandfather, we understand that. There is not a Member of this committee who has not likewise been confronted or written to, and we know the emotion that is driving this issue.

The effort today, without being perceived as insensitive, because I do not think there is a Member of this committee who does not feel this emotion every day, particularly those who served in Vietnam, but without succumbing to that emotion, lifting ourselves to a level where we are really looking in hard-nosed terms at fact, at reality, trying to dig into this, I would like to get at some larger reality.

Now first, for the record, I would like to establish whether or not at some point in time you became privy to a conversation that Dr. Roger Shields of the Defense Department had with Mr. Bill Clements, who at that time was in the Defense Department with the responsibilities for POWs. Did you become aware of a conversation he had?

Mr. PEROT. When I was doing the POW study in 1986 for the Vice President I heard this story, I called Dr. Shields. I said, Roger, I'm surprised.

The CHAIRMAN. You knew him?

Mr. PEROT. Yes. Oh, sure. I said Roger, I'm surprised that you declared all the men dead in April 1973. He said, I was ordered to do it. And he said he was ordered to do it by the Deputy Secretary of Defense, William Clements. Then he said words to the effect that he protested, because just 2 weeks earlier these memos were going around.

The CHAIRMAN. The memos that you referenced earlier?

Mr. PEROT. From Eagleburger and Richardson in the Defense Department.

The CHAIRMAN. Let me come back for a moment, when you say he protested—

Mr. PEROT. Basically, he didn't think they were dead. He knew that we hadn't gotten anyone out of Laos. Then he was told words to the effect, you didn't understand, they are all dead. Then Dr. Shields said Ross, everything you need to know from me you can get in a memo I wrote to the Secretary of Defense. And if they won't give it to you, I have a copy. But I would rather you get it from them.

Now, I was supposed to have access to anything. And a part of my education was learning how big the labyrinth can be. When I asked for that document there was a lengthy delay and then I was told we can't find it. Now, this is an interesting term, and I heard this term on a number of occasions—we can't find it. That doesn't mean it didn't exist. That didn't mean they didn't all know about it. That just meant they couldn't find it.

How many years did it take them to find the Gaines report, the Brookes report, you know, so on and so forth? There is a pattern here.

The CHAIRMAN. Now, let me try to establish, I want to be very clear, that in 1976 Dr. Shields confirmed to you—

Mr. PEROT. 1986.

The CHAIRMAN. 1986—that he had gone in in 1973 to Bill Clements.

Mr. PEROT. He didn't say what time exactly he did it. But—excuse me, that would have to be 1973, yes. Because it happened April 14, 1973.

The CHAIRMAN. And at that time something was said to the effect that he argued with Bill Clements, said he could not say they were all dead, and Bill Clements said you did not hear me, they are all dead.

Mr. PEROT. Yes.

The CHAIRMAN. Is that accurate?

Mr. PEROT. Yes. Then, he told me to try to get it. I couldn't get it, so he said he had a copy. I went back to him and said I can't get it, can I have your copy? And he seemed very nervous about my getting his copy, said that it was in storage, it would be difficult to find. I said Roger, I'll pay the cost, I'll send people up, whatever you want me to do. And then finally, in a very oblique way he indicated someone had talked to him and he shouldn't give it to me. So I never saw the memo. I hope you all have the memo. I don't know what the memo says.

The CHAIRMAN. Now, turning to a larger picture for a moment, you have pointed to this map over here and you point to the live-sighting reports and you talk about the need to get one American back, if there is one American back, two. Whatever persons might be there, we need to get them back. Now, repeatedly in your deposition to the committee you talk about the importance of negotiations. Again and again you say—let me read. In answer to one question you said if we just go straight to Laos and Vietnam and Cambodia and negotiate hard and stay on it, we will get it done, correct? And it has been your consistent belief which you expressed to the White House in the eighties that we should be negotiating for their return, is that accurate?

Mr. PEROT. Yes, sir, and if I may elaborate, let's assume you have something I want. My only way to get it is to negotiate with you. That's on a person-to-person basis. On a national basis we have a war we did not win. We had no leverage at the end of the war. They kept those prisoners as leverage to get the Nixon reparations money. In my letters to the President, which maybe we ought to go through in more detail—

The CHAIRMAN. We will.

Mr. PEROT[continuing].—We covered this in great detail. If I have to negotiate with you and I have no leverage, I really need to understand you, I need to understand your feelings, I need to understand your sensitivities, I need to build some kind of a relationship with you so that we can overcome the distrust which exists between the two nations.

They are worried to death. If I may finish this, excuse me, sir—I walked in the room in Hanoi, and their first question was why are you here? This was after the advance meetings, the letter of invitation, and so on and so forth. And my response was because you asked me. And they sat there for a minute. And they said we hold no POWs. And I responded don't embarrass yourselves. I know too much. And then they broke out laughing and said we had heard you were direct. We are direct, too, we will get along fine.

And then they said, your own Government declared these men dead in 1973. Why should we think your Government wants them back? Pretty good logic, right? Why should we think your Government—and then I explained it to them. I said our goal is to rebuild a relationship with your government. And since this is our goal, why wouldn't it be counterproductive to finally admit after all these years that we have these men and to give them back?

Senator KERREY. Excuse me. Mr. Perot, are you talking about the April 1987 trip to Hanoi.

The CHAIRMAN. Now, let me follow that up. That is the logic I want to try to discuss openly here. And I do, incidentally—I want to go through your letter to the President and I would like to go through it almost step by step. But before I get to it I want to pursue this.

So they say to you why does your Government now expect—how does it expect us to get people back, you declared them dead?

Mr. PEROT. No, sir. They said why should we think your Government wants them back.

The CHAIRMAN. And you made it clear to them why we want them back, as have other people, is that not true?

Mr. PEROT. Yes.

The CHAIRMAN. Now, I take it you have great respect for General John Vessey, correct?

Mr. PEROT. Yes.

The CHAIRMAN. And General Vessey is a person who you would believe his word. If he says if I tried to do this and you tried to do that, would you take him at face value?

Mr. PEROT. Absolutely, yes sir. I have no reason not to.

The CHAIRMAN. Now, you continue to believe, even to this moment, that a live-sighting report follow up is not an efficient way to resolve this problem, do you not?

Mr. PEROT. Absolutely.

The CHAIRMAN. Because they might move somebody, you would not really find out anything, correct?

Mr. PEROT. Let's go to Washington, DC., and let's go to a row of townhouses somewhere near the Capitol. You put one person in there, give me absolute freedom to go to any townhouse within a 1-square-mile radius, but I have to give you an hour's notice, I'll never find him.

The CHAIRMAN. So the only effective way, this is what I am getting at because this is our current policy, but the only effective way in your mind is to negotiate, correct?

Mr. PEROT. Yes.

The CHAIRMAN. And you have suggested again and again through your deposition that we should negotiate because they are in Laos or they could release them through Laos, is that correct?

Mr. PEROT. Yes.

The CHAIRMAN. Now, General Vessey, I might say, had a similar experience to the one I did with Foreign Minister Thach, in that—and we asked him the other day, he was under oath—I asked him the question, I said, did you have responsibilities within the military service for this issue?

He said, no.

So you come to it as somebody who has assumed responsibility with one goal, and that is to get the truth and get an accounting? Is that accurate?

He said, yes.

In the course of the last 5 years, you have had occasion to travel to Vietnam how many times?

Five times, he said.

And you have had successive days of meetings with the Vietnamese, correct?

He said, correct.

I said, have you ever had occasion privately to take former Foreign Minister Thach aside and say to him, hey, look, why don't you come clean on this? Why don't you, if you need money, if you need something for it, just give us the guys who are alive? Did that ever happen?

He said, I have raised that issue at every meeting.

Have you ever had any nibble or any indication whatsoever that there was a deal to be made if the right terms were struck?

None, was his answer.

Has anyone ever offered you, at any level of the Government or civilian cadre, entre to live Americans by virtue of your position?

No, sir.

Do you have any evidence today whatsoever from those five trips and from your journeys around Vietnam that someone is alive today in Vietnam?

None of the new information we have gathered leads one to believe or adds to any of the information we had before that led one to believe their might be live Americans.

Now, I, likewise, took Prime Minister Thach and a couple of other people aside in private conversation and said, look, this is the moment. It is 20 years. You could do it through Laos. You could do it this way. Not a nibble.

The answer is, Senator, we would love to do it. We do not have anybody to trade for. There is no deal to be struck. So what do you negotiate for today, Mr. Perot? What is it that you believe is missing in this equation, which, incidentally, I take it, in your trips, likewise, never produced this fruitful deal that you are talking about?

Mr. PEROT. First, General Vessey, who I feel—who is an outstanding man, was given a very narrow mission, was not given the

freedom, the flexibility. If you go into my letter to the President, I wanted him to have a much broader mission. I wanted him to be able to show some goodwill on our part.

There are all sorts of little insignificant things, like they would go on—see, they feel they won the war. They feel that we treat them like they lost the war. They are very, very sensitive about our relationship. They have figured out that if—I told them one time, I said, if you had let us win, we would have rebuilt your country and you'd be an economic superpower now, like Japan and Germany. [Laughter.]

Mr. PEROT. But, the point is, when we lose, we don't know how to handle it. See, we've got this giant ego problem back here, is that we want to thumb our nose at them, put our finger in their eye, and stiff arm them. And that's basically what we've done most of the time.

When I was visiting—and this is all in this letter—things like they had a very accomplished piano player. They said, you let the Russian piano player come to your country. You won't let ours come to play. Russia has Chernobyl and you turn out en masse to help the Russian people. The Russian people—the Russians funded the war in Vietnam.

This is the Vietnamese speaking. They said, we couldn't have fought you if it hadn't been for the Russians. You pander to the Russians. You treat us badly.

We had a typhoon. You didn't come. You didn't help us. You helped at Chernobyl. You see, they said, then General Giap, one of General Giap's dreams before he died was to see the United States. Now, that's a little—I suggested we let him speak at the War College. I thought it would be very interesting to our military people to hear his view of the war, which he would have been delighted to do.

Little, insignificant—you build a relationship. If you and I don't like one another, and we have to negotiate, and you have what I want, I've got to overcome all that scar tissue, all that hurt, all that bad will. General Vessey needed a broad mission, not just a little narrow mission. Five times in 5 years won't do it.

General Vessey has to come to Washington, get the clearance, get the money, get the budget, get the mission. All these fellows with their turf, their control, their power. You see what I mean? You know how the system works. That's why it didn't work. It's not because he's not a great man.

Is General Vessey a good negotiator?

I don't know. I've never worked with him in that area.

The CHAIRMAN. Mr. Perot, my time is up. I just want to tie that up with one other question, but we want to try to stay on the times here. I have a lot more to explore here, and I think it is very important to thoroughly explore this, because it leads to a number of questions of earlier time. But, answer for us this, if you would, please, because it puzzles a lot of people.

With the Vietnamese as entrenched as they have been, and as many public denials as they have made, with as many people rebuffed as they have been over the years, with no POW ever having come out in this period of time, with all that they have on the line in terms of their public pronouncements, and the pride and so

forth, how could they afford to have somebody come back today as the result of a negotiation, to run loose around this country saying, here is how they mistreated me for 20 years, and moreover, they kept me a prisoner, we should never give them anything or deal with them?

Mr. PEROT. Well, why don't we just take the things we have here. This is the \$4 billion offer from the Vietnamese. It's in the papers now, thanks to your committee. You've got former senior officials saying it happened, then saying it didn't happen. You've got a Secret Service official who apparently overheard the meeting, who the White House doesn't want to come forward. Now, think about it.

It's your son over there. And they're playing games with your son's life. I don't care about the protocol about a Secret Service guy. If this guy has something to say that will bring a man home, you should have access to him today, right away.

Now, let's assume that when you finally get him he doesn't have anything. Well, that's one more misfire. But there's every reason—this is an old story, gentlemen. I've known this story for years. The thing I didn't have was the wheels and engine that you now have. You've got Allen's sworn testimony, which he apparently has pulled back on, based on what you read here. You've got these other people who were around it and in the room. Bring them in here. Put them under oath. Ask them.

See, this is something you're doing nobody has ever done. You put people under oath and ask the direct question.

Why would you go to Canada if you were Vietnam in 1981 and make a \$4 billion offer to return POWs if you didn't have anybody? Now, you're in the Soth Petrasay trap. Now, you're in the Pathet Lao trap. Now, you've got them both. There's your ace, right there.

The CHAIRMAN. Let me say to you very politely and nicely, but firmly, that does not answer the question that I asked about how you deal with the issue of somebody coming out today, be it Laos, as you have suggested as an out.

Mr. PEROT. Yes.

The CHAIRMAN. Now, somebody comes out of Laos and they still have their tongue in their mouth.

Mr. PEROT. Sure.

The CHAIRMAN. They are capable of saying, I was in Vietnam for 15 years. This is ridiculous. I didn't spend my life in Laos. And they beat me, and they made me be slave labor. And don't you dare engage in a relationship with them.

Now, the Vietnamese are not stupid. They sit there and say, what assurances do we have, if they even could return somebody. Now, how do you cope with that reality?

Mr. PEROT. You take the President and the leaders of Congress and sit down with them.

The CHAIRMAN. That is it?

Mr. PEROT. Sit down with them, and say, look, War is a dirty, ugly thing. We have a relationship with Russia, and every reason to believe they still hold our people. We've got a new ambassador to Laos. Now, only in America would you give them full status when they boasted that they held your men and never sent anyone home.

See, we've always stayed close to Laos. We've always had State Department people over there, so on and so forth, since the end of the war. And we had to do that because we didn't have a war in Laos. Right? Didn't have a war in Laos.

So, I would just say that we haven't discussed this yet, Senator. And before you and I leave, this is so important to me, I pray that we'll drop conspiracy theories. I pray that we will not have a special prosecutor. I pray that we will not look for scapegoats in this country. Because if we do, we will never get our men back.

I pray that we charge it all off to honest mistakes. And that we all come together in this country and say, there is just one issue. One person. Two people. Three hundred people. Who's ever there. Who's ever there we must bring home. Who's ever in Russia we must bring home.

And we will not go back and scapegoat. Because if we start the scapegoat process, I take you to Iran-contra. Iran-contra started in 1986, right? It is now 1992, 6 years later, and it's still going.

See. These men are getting old. They're grandfathers. These men need to be brought out now.

So, I'd say if the President and the leaders of Congress sat down and said, you have our assurance—now, people like—I can go out and build a consensus with the American people that we will accept all of the unpleasantness and all of the ugliness that will occur when they come home. And I will spend whatever time I need to spend, and I'm sure all of you would too, with the men who have suffered so terribly, explaining to them, it's the price we paid to get you out. It's the only leverage we have.

See. We could not leave you behind to rot longer. It's the price we paid to get you out. Then they're going to say, well, why didn't you pay it earlier? And we say, no excuse.

And then they're going to look at us and say, well, we hate you. And I say, well, I understand.

But all I can say is we finally got our heads cleared and we did it. And we will have to have a tremendous amount of support for these people when they come home.

Let me complicate it for you. Some are going to come home with Laotian wives and children. They had to do that to survive. You've been deep enough into the data to know that. That does not mean they're turncoats.

Let's assume you did 10 years in a cage in a village back in a triple-canopy jungle, and the war was over, and you knew this country had left you. And one way to have some semblance of a life was to blend into that little community. We'd probably do it 100 percent.

So, it'll be complicated. But let's sweep over that. Let's not get lost in the trivia. Let's get focused on how you get them back. Negotiate. We'll build a consensus among the American people. I would work night and day with you to do that. That won't be hard to do if it was the right thing to do. We'll get it over to the people when they come home, and to their families, it was the right thing to do.

Their must be families here today. I would say, we can't ask them to vote, but if we said, how many of you are willing to pay the price of admitting we were dead wrong, clearing the record, lis-

tening to tales of horror and abuse when the people come home, but getting them home. I am certain we'd get 100 percent consensus from the families. Better to do that, than leave them there to rot.

The CHAIRMAN. Let me say that I do have more questions, but we will do it on another round.

Senator Smith.

Senator SMITH. Thank you, Mr. Chairman.

Let me just say I certainly concur with your remarks, Mr. Perot, that retaliation would be counterproductive or even the threat of retaliation would be counterproductive. A lot of mistakes have been made, policy mistakes for sure. And to get the men home now should be paramount. And I agree with you, and that is speaking for myself.

I do have one general question that I would like to ask you, but before that, I just want to go back on a couple of points that you brought up regarding Dr. Shields' testimony. Dr. Shields has confirmed to this committee what you have indicated to the committee today, what Clements told him, he has confirmed that under deposition. He also wrote a memo for the record on May 24, 1973, saying he did not feel comfortable with what he said when he said it. And he said that of course in public testimony. He also said it in his deposition to the committee.

I guess, as I search through, there is kind of two prongs to the fork. One is Vietnam and the other is Laos, as you have already indicated. We really have not, and I think where the committee thus far is struggling, is we have not been able to pin anybody down on that window of time between late March 1973 and mid-April of 1973, when that statement did occur that they were all dead.

We have seen those, and I have read all of those. The committee has read those memorandums that you referred to, the Eagleburger one specifically, in which we have a pattern here of intelligence being fed to the highest levels of Government, decisions being made based on that intelligence. The Eagleburger memorandum was exactly as you stated it, which basically said, hey, wait a minute, we do not know what has happened to these guys over in Laos. Maybe we ought to start the war again. That is a correct characterization of that memorandum.

However, the statement was still made in mid-April that they were all dead. And we still have not gotten that explanation regarding Vietnam, nor Laos, as to why it was made. As hard as we have pushed, as hard as we have pursued, as deeply as we have dug into this, we still, in my estimation, have not satisfactorily gotten those answers.

And I hope that we understand that what Mr. Perot has said here today to the committee is his own involvement. He is not a Government official. He has given us a great deal of information, but there are some Government officials that this committee really has to put on the spot. And one you mentioned was the [CIA] station chief, whom we will be talking with later on.

But let me just ask you one question. Given the situation that we face and what happened in 1973 regarding Vietnam, you referred to the live-sighting reports on the map. There was a hearing last

week in which there were some witnesses who came, who have testified to the DIA that there was an underground prison facility. We also have a lot of testimony regarding the whole prison system in Laos, and the fact that we were in fact tracking, if you will, for want of a better word, intelligence of POWs in Laos. We have all of that on the record from witnesses. But when you get to the highest level Government officials, who really are the ones who would have to know, we do not get the answer. They say it is not true or they do not recollect it, or whatever.

How would you recommend that this committee move there? We have the subpoena power, but even a subpoena cannot force a person to tell the truth. It can force a person to come to the committee, but it cannot force a person to tell the truth. And it just seems to me that if we are going to get the truth, that is where it lies, at those policy positions back in the mid- or early 1970's, where the answers like which we have not been able to get. And it may not even be as high as the Presidents, frankly. And I do not believe that it is.

I believe that it is at another level, and we have not been able to pin those people down. And I say it has been darn frustrating for me, but we have not done it. I would just ask, you have been involved in this issue a long time. I respect what you have done, as I indicated in my remarks. Just a general question. What would you recommend that we do? Give us some advice.

Mr. PEROT. Well, my short answer would be, treat them like you just treat ordinary civilians.

The CHAIRMAN. Would you pull the mike a little bit closer.

Mr. PEROT. Treat them like you just treat ordinary civilians like me. Order them up here and tell them what they have to do. But, no, they are Government employees, so they get—you know, we got to coddle and burp them. But, on a broader basis, if you just want to get it done, and I know you do, I would get them all in a room and give them total amnesty—total immunity, I guess, is the word you use here, anything to get them to tell you the truth. Because with the truth you can move.

You see, these people are worried to death, a huge number of them are worried about their images. This is a town that lives on how it looks, not how it is. Now, so get them—just the fact, nobody is ever going to criticize them. They just come in and level with you on the whole thing.

You get all the guys who ran the war in Laos here in the room. Give them total amnesty. Get all the people around the embassy. Give them total amnesty. Maybe you could get a giant breakthrough of just a total disclosure.

Now, then again, we'll give you immunity if you give us everything. If we find anything after we have given you immunity that you didn't give us, we're talking probably criminal penalties. Maybe that clears the guys head and he gets it out of him.

Senator SMITH. Does it make sense to you from a negotiation standpoint, you did talk about it, and I could not agree with you more, that chasing down live-sighting reports, if in fact the Vietnamese or the Lao have people, they are certainly not going to be there when we get there if we know we are coming.

Mr. PEROT. Yes.

Senator SMITH. You have said that very succinctly. Do you think, does it make sense to you that General Vessey's role in this issue is limited to Vietnam and not expanded to Laos? Does that make any sense to you?

Mr. PEROT. It's too limited. In my letter I talk about giving him a very broad role. He needed to have a very broad role. He needed to be able to make decisions on the spot, without having to come back here and check with somebody whose name none of us would recognize, to see if he can bring a piano player in here to do a concert. Little things like that. Do you see what I mean?

He should be—then, with the Vietnamese, he said, look, let's let the young man come over here and play the piano. They said, General Vessey, you mean you can—sure. Bring him. I'll take him home with me.

Now, at that point, suddenly General Vessey is a man with clout in our country over there. Right now he is just a—now, keep in mind, I first brought up the name of General Vessey to the Vietnamese at the request of Senator Howard Baker.

Now, as history has been rewritten, they claim it was done earlier. But the facts are, the Vietnamese had never heard that General Vessey might be the presidential negotiator until I brought it up. Howard Baker asked me to bring it up.

Let me show you how sensitive they are. They were thrilled that we were following what they called the diplomatic process. And that is, if you want to send in a diplomat, you first say, is this person acceptable to you. They said, never before—they gave me a long lecture on how rude and arrogant our people had been that had been in to negotiate with them.

They were thrilled that we were saying, is he acceptable.

Then I set up with them a step-by-step procedure that they would follow and that I hoped that our Government would follow. And that is, that I would come back. I would tell them that General Vessey was acceptable. They were very pleased with the idea of having General Vessey. Then the President would announce that he was going to appoint a negotiator.

Then, privately, we would send diplomatic officials to talk with the Vietnamese to appoint General Vessey. Privately, they would send word back that he was acceptable. And then we would publicly announce General Vessey.

Well, the next thing that happened is the State Department had a press conference. I have got it right here. And said that the Vietnamese have been dragging their feet since last fall on accepting General Vessey. That was, I think, in April 1973. They had never heard of General Vessey until March 1973, and they certainly never heard of him in the fall.

I called General Vessey when I read that. I said, General, when did they first talk to you? It was much later than the fall.

And I was worried to death that this would foul up what I thought was a very delicate negotiation. And the way to do it is to do it diplomatically. Give him a broad role.

Let me throw in a couple of things here, Senator. No. 1, let's not have any military rescues. If anybody wants to talk more about that, I will be glad to. I know something about rescues. Let's not have any. I've never been for that. And we can go into that.

Now, when I last left JCRC, most of them were in Hawaii, and I never could figure out how guys in Hawaii were going to get information out of Laos and Vietnam. Think about it. Think about it. I assume you all know what JCRC is. If anybody doesn't, OK. That's the group that's supposed to be getting the people.

Finally, you looked at it, it was a relatively small number of people, most of them in Hawaii. Then there's an interesting—did you ever interview Colonel Mather?

You have interviewed him?

Senator SMITH. I have talked to him personally. I do not know if the committee has.

Mr. PEROT. Fascinating. This is the world's longest stationed in one place Air Force officer in the world. He has been in Bangkok forever. I never could get anybody to tell me why.

Now, I had authority from the President of the United States that anything I wanted to know I was supposed to get answer to. I never could get that answer. I finally ran into the chief of staff of the Air Force and I said, is there anybody in the Air Force that has been in one place longer than Colonel Mather? And I didn't even know if he would know who Colonel Mather was.

And he laughed. He says, no, he's got the world's record. I said, can you tell me why. He said, no.

Well, at this point, you and I both know he's a CIA guy in an Air Force uniform. Now, see, JCRC was kind of a Chinese fire drill all of these years when the information was hot. If you want to get in trouble as a refugee coming out of Vietnam or Laos, come in and talk about having seen Americans.

That is not a positive thing to do in the refugee camps. If you want proof of that, I'll produce a DEA agent who used to work in the refugee camps, who will give you chapter and verse on the fact that the word was out: Do not say anything about living Americans when you get to a refugee camp unless you want to get shipped back across the river.

Now, I'm not proud of our country acting like this. As a matter of fact, I'm disgusted. But we want the men back. Let's drop it. Let's give them immunity. Let's give them amnesty. Shoot, let's send them to Paris. I don't care what you have to do. Let's get on with getting the people back.

And it's the fear of disclosure on the part of all these people who have been a part of this web that keeps this thing in its limbo.

Senator SMITH. My time has expired, Mr. Chairman. I might just say, regarding Colonel Mather, that progress has been made. He has been moved now to the DIA office in Washington I hear. So at least he is out of the Bangkok area.

Mr. PEROT. No, I'm not saying—he may be a good man. But I'm just fascinated—

Senator SMITH. Well, he has worked on the issue a long time, and he has been in one place.

Mr. PEROT. I am just fascinated. He is the longest-living Air Force guy in one place I've ever heard of.

One last thing, if I may. The manmade island, Garwood's testimony. Has anybody been to the manmade island?

You see Garwood came out, when, in 1979? Believe it or not, nobody in our Government ever interrogated Garwood until 1986.

He was so alienated that they—again, here is the way the system works. They asked me to build—to meet Garwood, talk to Garwood, get Garwood comfortable enough so that he could be interrogated. I did.

General Eugene Tighe, who is retired, interrogated him. My secretaries typed up the tape. He refers to a manmade island where American prisoners-of-war were held. He is very precise about where that manmade island is. I kept saying to our Government, it's either there or its not there. Surely we can determine that.

Nobody, I guess, knows today. And Garwood, you know, is a turncoat, or whatever he is. But the facts are, he was allowed to roam around the country.

I'll never forget, on one occasion when I talked to him, he said, when you went to Hanoi, did you go into the airport? And I said, yes. He said, and they drove you straight into town? I said, yes. He says, you drove right by a warehouse where former POWs work.

Now, that may or may not be true. But that's another little vignette that I can remember. But the key thing is, if you build a manmade island it's probably still there, right? And manmade islands don't look like regular islands.

The CHAIRMAN. It depends who builds it. If the Government built it, probably not.

Mr. PEROT. That's true.

The CHAIRMAN. Senator Reed.

Senator REID. Mr. Perot, it is my understanding that in the late 1970's you were responsible for a rescue of some of your employees who were being held. Is that true?

Mr. PEROT. In Teheran, yes, sir.

Senator REID. And this was something that you did on your own, without the Government?

Mr. PEROT. Well, I used every resource in the Federal Government. I went to Teheran. I went to our Government in Washington. I went to our embassy in Teheran, which was the worst mistake of my life. Because, within 10 minutes after I'd left the embassy, a who's who of the revolutionaries were looking for me.

I had managed to stay alive in Teheran unnoticed until I went to the U.S. embassy. Then I had the interesting challenge of getting out of the country to get all the stuff ready for the rescue. Fortunately, we made it. But I tried the State Department. I tried with a lot of people. The person who helped me the most, interestingly enough, was Dr. Kissinger.

He actually had them out, but the General who ran the prison would not release them because it was a revolution and nobody was in charge. And we either had to lose them or rescue them, and we rescued them. Fortunately, we got them home.

Senator REID. Mr. Perot, you made a statement emphatically, in fact, you said, to make sure you are all paying attention, words to that effect.

Mr. PEROT. Yes.

Senator REID. And I took note of this, you said that Senator McCain and other prisoners were ransomed out of Vietnam.

Mr. PEROT. Right.

Senator REID. But we did not pay the ransom. I would like some more explanation of that.

Mr. PEROT. The Nixon reparations letter is what got them out. Then we didn't write—

Senator REID. Pardon?

Mr. PEROT. The Nixon reparations letter, which promised—I forget how many billions of dollars—was it \$3 billion or \$4 billion? Somebody must know—\$3.2 billion. Then, when the prisoners came home, Congress was angry and refused to write the check. But it was in anticipation of the check that we were able to get the POWs. And when you meet with the Vietnamese, that is still a very sensitive point. They feel we broke our word.

Senator REID. And that is one of the reasons that you personally feel that those people may have been left after the war, after Operation Homecoming, we have not had more cooperation as a result of the fact that we did not live up to the ransom letter, reparations letter?

Mr. PEROT. Yes. And specifically, in Laos, the Pathet Lao said they would not release the prisoners until they got their piece of the reparations. But men came out of Hanoi. Nobody came out of Laos. And about 2 months after the men came out of Hanoi, and less than 2 weeks after the Secretary of Defense and the Assistant Secretary of Defense were writing one another memos saying we have nobody out of Laos, we declared them all dead.

Senator REID. This is the Roger Shields—

Mr. PEROT. No, sir, this is Mr. Eagleburger and Secretary Richardson.

Senator REID. OK. Now, Mr. Perot—

Mr. PEROT. And then Roger Shields on the 14th ordered to declare them dead.

Senator REID. I have been looking through the material staff has prepared for us and listening to your testimony here today. I note that we have a 1969 Christmas trip, the wives went to Paris. The spring of 1970, the party in San Francisco. How many times did you personally go to Southeast Asia, twice?

Mr. PEROT. Three—four.

Senator REID. Four times?

Mr. PEROT. Yes. But three on business. Three on business. The Christmas, the spring, and then the 1987 trip.

Senator REID. And also people who are here in the room with you, Mr. Murphy and others, went there as representatives for you on other occasions, is that right?

Mr. PEROT. They were with me.

Senator REID. And did they go alone also?

Mr. PEROT. I can't recall.

They did go, yes, they did.

Senator REID. That is the information I have.

I would be interested—

The CHAIRMAN. Excuse me, Senator. Would you mind if I interrupt?

Senator REID. Of course not.

The CHAIRMAN. When you say three for business, you do not mean business for EDS?

Mr. PEROT. No, no. Three on this mission. No, no, there's no business for computer. That's myth number 903. No, the fourth one. Let me—three on the POW/MIA. Then, my wife was invited to

christen a ship in Japan. I took my children. The Navy invited me and my son to go on an aircraft carrier. We went to Hong Kong, left the girls. Ross and I went on the aircraft carrier.

I wanted him to understand war as a little boy. He stood on the flight deck and watched these great young people take off, fly missions over Hanoi, come back, thank God they all came back. But some of them barely came back. I mean, they were smoking. They had problems coming in. And he couldn't get over how young they were. You see, he had seen airline pilots.

Then I took my wife, my daughter and my son to Bangkok, and we flew to Laos. And they could literally see war on the ground. And we got to Laos, and we visited the people in Laos. We visited the people that we had worked with there. Visited the people in the embassy. Visited the missionaries and the doctors and so on and so forth.

And then we continued our trip. That was the fourth trip.

Senator REID. So four trips, plus trips that you directed that your staff take?

Mr. PEROT. The staff made, yes.

Senator REID. Do you have an idea, a rough idea, of how much money you have personally spent on the situation in Southeast Asia dealing with the prisoners-of-war?

Mr. PEROT. I think, and I could give you a very accurate figure, I think it was—during the war it was around \$3 million. And that was back when a dollar would still buy something. [Laughter.]

Mr. PEROT. They say that's close.

Senator REID. Mr. Perot, Senator Kerry and Senator Smith have asked you this question in varying degrees. Let me just ask it about as direct as I can. How would you personally resolve this POW/MIA situation if you had the authority to do so?

Mr. PEROT. No. 1, I would figure out everybody that ought to have—that would have to have immunity to come clean. No. 2, I would give them immunity and get them to come clean. And at that point, some of these hazy pictures would be crystal clear pictures. And as I said earlier, if we gave immunity and a person didn't come clean, then we're talking heavy criminal penalties later.

So there is an overriding reason to come—

The CHAIRMAN. Would my colleague yield for a minute there?

Senator REID. I would be happy to yield to the chairman.

The CHAIRMAN. The immunity you want to apply is immunity—if the issue lies over there we do not have any jurisdiction over them. I mean we do not give them immunity.

Mr. PEROT. No, no, no. I'm talking about all of the people here in this town who make your life so complicated.

The CHAIRMAN. Well, that does not get the fact if they are over there. How do you get them back if they are over there?

Mr. PEROT. OK. Fine. Then if you say we do not care about getting all the cards up on the table. Now, I think you've made an excellent point. Say, let's forget the clutter that's here. Let's forget the haze around the news story on the \$4 billion 1981 offer from the Vietnamese. You made a good point.

I could always zero in on Laos before and nobody inside the establishment, nobody who is sensitive will ever take you head to

head on Laos. Because you can't debate Laos. They'll duck it. They'll try to bring you back to Vietnam. In our first meeting I warned you. I said don't let them finesse you back to Vietnam. Stay focused on Laos. Remember?

Now, then, this gives you the same focus on Vietnam. You don't show up in Canada offering \$4 billion if you don't have something to sell. Right?

See, I will sell your prisoners back to you for \$4 billion? If that happened, that's a big ace. I would say, maybe just so that you really knew, you'd do enough diligence here to make sure this was clean. Then you sit down. Get the leaders of Congress and the White House to agree, we're going to go to the wall and get it done.

Then be very open with the American people on these issues that you have mentioned earlier, in terms of the anger and the reaction when people come home. I can tell you, these people desperately—over there—need us. These people desperately want us to treat them with dignity and respect. They desperately want to be brought into the world community.

We have tremendous leverage. Then you build the relationship. You work with them. I have every confidence that getting it done over there, if we had a consistent ongoing effort with people who know how to negotiate.

We have a problem in our country. Most of us don't know how to negotiate any longer. If we go to Sears and Roebuck and the hammer is marked \$5.95, and you either pay \$5.95 or leave. Well, now, you get out into some of the rural areas of this country and you find folks that understand how to negotiate because they still barter. And that is the type of—and you have people here in Washington who are good at negotiation too, but you've got to find someone who not only is a great person, but who can negotiate.

And then that person goes to Southeast Asia—and you've given me a free reign here—I would say don't come home. I say, wait a minute, you mean I can't do a 3-day junket and come back and have a press conference? No.

When can I come home?

When you've got the people. You come home on the plane with them.

Now, go and stay. Then just put the anchor down and go night and day, and give that person freedom to do a whole series of things to send them positive messages that we are really sincere. And then stay glued together here in Washington, because this is an issue that, particularly in a presidential year, in an election year, could breed a lot of divisiveness. Don't let this be a campaign issue. Just totally focus on finding out what it takes to bring these men home and get it done.

Senator REID. Mr. Perot, I think from the testimony that we have heard during these many months—for example, one of the early hearings we held asked a man by the name of Mr. Bell, who had spent most of his adult life in Southeast Asia, and I asked him, I said, do you think there were prisoners-of-war left after Operation Homecoming? And he answered, yes. It was the first time that anyone had talked that way publicly before a congressional committee.

Mr. PEROT. Yes.

Senator REID. And I said, how many? And he said, about 10. Now, in closer scrutiny, he appears to be saying those people did not want to come home. But, regardless of that, he said there were 10 people over there.

Now, let us assume that he is right. And I think he was telling the truth to the best of his knowledge. Following up with what the chairman asked you, we have had the Vietnamese and the Laotians tell us that there are no prisoners over there. They have told us not once, but numerous times.

Now, let us assume they were lying. What can we do to get them to acknowledge that there were people there immediately after the war, even if there are not any now? What I hear you say, we need better negotiators. We need to barter. We need to offer them money. But I am not sure that is the answer.

Mr. PEROT. No. We need to go and stay. If we do a three-day turnaround and say, gee, they said they didn't have them. Or we do a 1-week turnaround and say, they say they didn't have them. I'm saying we need to just go over, make it clear before we come that this is a whole new era, make it clear that the U.S. Government is united in this effort.

Now, let's take Mr. Bell, though, for example. You know what happened to Mr. Bell? Have you all followed Mr. Bell where he is, what he's doing?

The CHAIRMAN. Very closely.

Mr. PEROT. He paid a big price for telling you that, right?

The CHAIRMAN. No, not necessarily. Not necessarily, no.

Mr. PEROT. He didn't?

The CHAIRMAN. No, not necessarily. No. Not necessarily. I mean that is not clear, Mr. Perot.

Mr. PEROT. What was his job and what is his job?

The CHAIRMAN. Well, I have met with him at great length and talked to him about that. And I just do not think it is that clear.

Mr. PEROT. But it was not a promotion, right?

The CHAIRMAN. No, I do not think it was a promotion.

Mr. PEROT. Did he have an office?

The CHAIRMAN. I think the issue, Mr. Perot—

Mr. PEROT. No, let's just take it a piece at a time, Senator. Did he have an office? Does he have an office? Where was he? Where is he? Did he when he first got there? Was he just sitting there? So those stories were wrong?

No, everything I've heard is that Bell got trashed as a result of telling you they had 10. And I don't know what the truth is. All I know is what I read in the paper and hear. He's in Bangkok now, is that where he is?

The CHAIRMAN. He is in Bangkok with a portfolio that takes him to each of the three countries in the region of interest, not just Vietnam.

Mr. PEROT. Right. OK. Well, then we'll drop that.

Senator REID. Let me just close, my time is gone, by asking this. It seems to me that there is sufficient evidence, if we were a jury, that there were some people left behind after Operation Homecoming.

Mr. PEROT. Right.

Senator REID. As a juror, though, I would have a difficult conclusion establishing now that there are still people there alive. Now, what information do you have, Mr. Perot, that there are still people there?

Mr. PEROT. All right. I think you're using reverse logic. Let's—the Pathet Lao boasted about having them. If this story is true, the Vietnamese claim they had them in 1981. Now, for example, if a country boasts about having our people at the end of a war, and if our own intelligence would reinforce that we did leave people there, and it does, the burden is on them to show us what happened to them.

Where did you bury them? How did they die? What did you do to them? See, we don't ever get to that level of detail, certainly not in Laos, because we didn't have a war in Laos.

See, you've got to—do you understand all the crazy nuances and sensitivities around Laos? A lot of it doesn't make sense. But when you realize, how did we have all these MIAs in a place we didn't have a war? It makes you wonder, doesn't it?

Well, the facts are, if everybody will quit worrying about history and start worrying about these men, is OK, Laos, we have coddled you ever since the war because there was nonwar here and we didn't want you to talk about some of the stuff that wasn't too pretty. But now, we want to talk about our men. You boasted you had them. What did you do with them?

Has anyone ever said the burden is on you? I don't have to prove to you that there is someone still alive. You, Laos, have to prove to us what happened to those people you claimed you have.

The CHAIRMAN. Before turning it over to the next Senator, if I could complete that. Would you accept the concept that Laos might not be able to account for everybody?

Mr. PEROT. A very primitive country. Triple-canopy jungle. I would accept—you asked me—in the context of your question, may not be able to account for everybody. Certainly the answer to that question would have to be yes. Could not account for most everybody? Absolutely, they could account for most everybody because they had them. And they had a list and they boasted about it. So what happened to them?

The CHAIRMAN. Let me just again say, when you say they had them, the committee at this time has no evidence in front of it that they had—when you say them—a significant number. There is no evidence to that effect. There is the Eagleburger letter, or memo, that says DIA lists approximately 350 U.S. military and civilians as missing or captured. Since that time the only evidence in front of the committee is to the effect that there were the nine people who were returned and perhaps a few others held, but a tiny number if they were held.

There is an Eagleburger reference to a concurrence of the DIA on a very small number who might have been held. There is no specific knowledge of 350, 400, ever being held. Now, do you accept that? Do you have other evidence that there were a large number actually held?

Mr. PEROT. You have left out the Pathet Lao boast. The Pathet Lao boasted about holding tens of ten at the end of the war.

The CHAIRMAN. Let me turn to that. Pethrasy was interviewed and he has repudiated his statements indicating that they held large numbers. I have a copy of his actual quotes here. He was interviewed on November 12, 1991, and he said his statements during the war years were only propaganda to increase the morale of the Pathet Lao.

He insisted on Government sincerity in accounting for all U.S. POW/MIAs, urged the charge to convey to the families of POW/MIAs there are none living in Laos. While clearly in frail health, he appeared alert, and his mental faculties were very acute.

Now, we and others have put strong pressure on trying to follow up with these people. He said there was no way I could know about any prisoners, whether in Laos, Cambodia, or Vietnam. As I said, I received the reports from Sam Neua and made statements based on these reports.

For the most part, I think that even the authorities in Sam Neua could not say with any accuracy how many aircraft had been shot down or how many pilots killed. As for the numbers captured, much of that was propaganda to mobilize the masses and strengthen the morale of the cadre.

So if you were to discount Soth Pethrasy, and if you were to read the Eagleburger memo as—and I read it very closely and carefully, incidentally—I do read it as suggesting that some people may have been held, and I read DIA as concurring in a small number, but I do not see this very significant number. I am just trying to deal with fact.

Mr. PEROT. What do you see when you look at the map?

The CHAIRMAN. I understand. Let me turn to that. Let's deal with this as well.

Mr. PEROT. This is the live-sighting reports.

The CHAIRMAN. I am going to be the devil's advocate here. I'm going to be the guy who's trying to ask some of the questions that ought to be asked, and I don't want my questions to indicate a belief, but I want them to test this process.

Mr. PEROT. Sure.

The CHAIRMAN. DIA appeared before us in several consecutive days of hearings on every single one of those flags. Every flag you see there is a report. We are analyzing every single report.

We have taken the strongest reports for Laos, and for Vietnam. Now, DIA, who is accused of discounting all of these reports out of hand, says to us that 93 percent of those flags are resolved, that 69 percent of them, or 1,091, are reports that they can equate to an American who is accounted for, i.e., somebody who did return, to missionaries, to civilians who have been jailed from time to time for violation of Vietnamese Code, and all the members of the committee accept that they exist.

24 percent have been determined to be fabrications. Now, that is DIA's determination. We may determine that we do not agree completely, conceivably, with all of that.

7 percent, 109 of them, are unresolved first-hand reports that represent their current focus of analysis and analytical determination.

4 percent, or 62 of them, pertain to Americans reported in a captive environment that are still the subject of investigation.

3 percent, or 47 of them, are reported sightings of Americans in a noncaptive environment, i.e., an American working as a truck driver, married with a Vietnamese family, or some such statement.

Now, that leaves some flags up there, Mr. Perot.

Mr. PEROT. Is this all Vietnam analysis, or Vietnam and Laos?

The CHAIRMAN. This is Vietnam and Laos. Now, this leaves some question marks. I think it is very important for the press and for the public to understand, DIA is not suggesting there are not some legitimate questions up there, and I think every member of the committee accepts there are some legitimate questions in these, but there are not 900 unresolved flags up there.

Mr. PEROT. How many do you put in the legitimate question category?

The CHAIRMAN. I think the 110 are legitimate questions.

Mr. PEROT. Can we agree that if there's one, the principle is the same?

The CHAIRMAN. I beg your pardon?

Mr. PEROT. Can we agree if there's one, the principle is the same?

The CHAIRMAN. Absolutely. That's exactly what Senator Reid was getting at, Senator Smith and myself.

Mr. PEROT. The number is not important to me.

The CHAIRMAN. I agree, the number is not—well it is important in some regards.

Mr. PEROT. Well, you want to account for them, certainly.

The CHAIRMAN. Precisely, and also because there is a great deal of myth surrounding this issue—about 200 people in tiger cages in a camp, or 400 people were moved from point A to point B.

Now, what the committee is trying to do is bring this down to an area of reality. That reality suggests that some people may have been left behind and that they were unaccounted for at the end of the war. We have as many as 130 question marks. General Vessey has acknowledged his list is 135.

I might add, DIA itself, which gets great discredit in this process, has a list of 269 that it began with, 190 of whom were in Vietnam, many of whom are resolved, but still today they acknowledge there are some 60 or so very legitimate question marks.

So we're here for a real purpose, but I want to make sure that we keep it to the base of reality, and that is where I think Senator Reid's question was directed.

Mr. PEROT. Well, I cannot give you what I believe to be the precise number left. I am more than happy to sign on for the numbers you've just given, because they demonstrate that we've left people behind, and that is the question I think we're all concerned about, and if it's just one, the principle is the same.

The CHAIRMAN. Senator McCain.

Senator McCAIN. The principle is the same, Mr. Perot, but the magnitude of the problem is clearly different, I think you would agree, and the principle is that we have to continue to do everything we can. That's why this committee is in being, and we've had other committees, and I think it's ample testimony to the tenacity of the American people that we continue to pursue this issue until we get it resolved as much as possible.

You have already said that you believe that there are Americans that were left alive in Southeast Asia. Do you believe there was a conspiracy to cover up this information?

Mr. PEROT. I have never said that. I don't even want to discuss it.

Senator McCAIN. I didn't ask if you'd said it. I just wanted to know if you believed it.

Mr. PEROT. I don't want to discuss it because I think it hurts getting anybody back home. I don't have proof. I have never spent a minute looking for conspiracy theories, proof of conspiracy, for one simple reason. It is counterproductive to getting the men back home.

Senator McCAIN. But it's very important in our efforts to find out whether there's Americans are alive or not, or if there's a conspiracy then our problem is one thing.

Mr. PEROT. Then you'll have to talk to somebody who's a conspiracy theorist. I am not.

Senator McCAIN. So your answer is no, you don't believe there's a conspiracy?

Mr. PEROT. I haven't spent a minute studying it, so I don't have a position, and I would encourage that we not focus on that. I don't think it has anything to do with getting the men home. I think if we focus on that, it has everything to do with the fact that we'll never get the men home. I think it is the fear of that that has delayed it 20-some odd years in getting the men home.

Senator McCAIN. Well, I respectfully disagree, because I think if there was a conspiracy to cover up this information, we have a serious problem, a much more serious problem on our hands, because we have hundreds of men and women who may be involved in the most terrible kind of activity as opposed to a situation where either accidents were made, or for whatever rational reasons; men were left behind.

If there's no conspiracy involved, I wonder why you would want to immunize—give people immunity to testify?

Mr. PEROT. Well, I basically—the question all came up that they felt that you had to get some testimony. If you don't need any testimony—if there's something you need to know before you sit down and have serious negotiations, the thing that keeps coming up, say gee, we came over, we had a brief trip, we asked them, they said they didn't have anybody.

Now, let's go to the Middle East. I want to buy a camel—

Senator McCAIN. I'd rather focus on Vietnam.

Mr. PEROT. Stay with me for a minute. I want to buy a camel. I'm out in the middle of the desert—you don't want to hear this story? I don't want to waste your time.

Senator McCAIN. Please proceed. The chairman has agreed to give me additional time.

The CHAIRMAN. I want to make sure you have a chance to explain it.

Mr. PEROT. I'm just trying to give you a one-on-one lesson on negotiation.

Senator REID. I want to hear about that camel.

Mr. PEROT. I'm in the middle of the desert. I find a tent, I find a camel. It's a three-legged, one-eyed, 40-year-old camel. I stop my jeep. I go to the tent. I ask the Arab, would you like to sell your

camel? He said, oh no, it's my son's pet, it's like a member of the family. We couldn't sell it.

Being a good American, I jump back in the jeep and drive off. He chases me across the desert saying, I thought you wanted to buy the camel?

You know, step 1 in a negotiation is no, I don't want to do it. You see, you've got to build trust, confidence, and respect. The Vietnamese, if you spend time listening to them, just listen, listen, listen—and maybe we'll get into some of that if you have time.

They are so sensitive, and they are so angry, and they are so frustrated, and they so desperately want to be a part of the world community. All of the pieces are there to get this thing resolved, but I think that we really have not gone into what I'll call long-term, intensive negotiations with them. I believe that if they ever felt that it was to their advantage to clean this up, they would.

Laos has no incentive at all. They've got full diplomatic recognition. We'd have to really sit down and come up with a good plan on how to get Laos' attention.

Senator McCAIN. Mr. Perot, since you brought it up again, I don't believe that I was ransomed out of Vietnam. I believe the B-52's got me out of Vietnam, and I think that it was clear that after the North Vietnamese grossly, blatantly, outrageously violated the Paris Peace Accords, which clearly mandated that they not invade and conquer South Vietnam, after they did so, that the American Congress and people very justifiably were not prepared to provide any money, nor am I at this time, as a result of their invasion and conquering and subjugation of South Vietnam.

So we have a difference of opinion, clearly, as to what brought the Americans home, of which I have previously acknowledged your tremendous and very key and vital effort, for which I am extremely—and the rest of the POWs and families remain very grateful.

By the way, I will provide you information. I am told by staff that Mr. Bell is now at a higher grade and is paid more highly than he was before he testified before the committee. I'll be glad to try and get that specific information to you.

In the case of Mr. Garwood, Mr. Perot, did you know that Congressman Gilman and another Congressman—I believe it was Congressman Wolf, I'm not sure—visited Mr. Garwood immediately upon his return?

Mr. PEROT. I may have been told that.

Senator McCAIN. Well, he did, and Congressman Gilman has several times stated he specifically asked Private Garwood at time if there were any Americans alive, if he knew of any live Americans. Mr. Garwood denied that at that time. Several years later, after Private Garwood was court-martialed for his behavior while he was in Vietnam and convicted, he then came up with the information that there were Americans alive.

I am not saying that he's not telling the truth. I'm saying there is certainly conflicting information concerning that.

Mr. PEROT. I believe he told me in one conversation—and we should check this with General Tighe and the record—that he wanted to talk about it when he came home, but he was on orders

from his lawyers that he shouldn't talk about it until his court martial was completed.

All I did was respond to the U.S. Government's request to finally get Garwood down on tape. I arranged it, General Tighe did it, my secretaries typed it. We gave it to the U.S. Government.

Senator McCAIN. What year was that?

Mr. PEROT. That would have 1986.

Senator McCAIN. And he returned in 19\_\_\_\_\_

Mr. PEROT. 1979. If they'd asked me in 1979, I would have tried then. They waited till 1986 to ask me.

Senator McCAIN. Then the premise is that you would have been able to overrule the advice of his lawyer?

Mr. PEROT. Nobody asked me. He might have said no to me, but I'm just saying I didn't want to interfere with the Government's business. They asked me to do it. I assumed they had interrogated him. I was shocked when I found out they hadn't.

Senator McCAIN. I'd like to just briefly touch, Mr. Chairman, on some memoranda that have been received which I know will be of some interest. The first one is from Mr. Craig Fuller, Office of the Vice President, telephone conversation with Colin Powell.

I hope that Mr. Perot will be or has been provided copies of this.

The CHAIRMAN. I don't know that he has.

Senator McCAIN. I think he deserves being able to have it.

The CHAIRMAN. Let me be sure we get that. Let me tell you what, Senator. If it's possible, why don't we make a copy of it, and while we're doing that we'll interrupt and then come right back to you.

Senator SMITH. I haven't seen it either, Mr. Chairman.

The CHAIRMAN. It has been distributed to the committee.

Senator SMITH. I apologize.

The CHAIRMAN. We'll get you a copy right away, Mr. Perot.

Senator McCAIN. I'll wait till the next round, then, to ask about it, because I think Mr. Perot deserves to be able to see that before he's asked about it.

Mr. Perot, I would just have another comment. You said, if you want to get in trouble, if you're a refugee, that you should say something about, make a live-sighting report or a sighting report. I would be very interested where you got that information, because clearly, again, that's a gross violation of the instructions of our Government to people in the refugee camps.

I visited the refugee camps and personally saw that the first or second question after name is, do you know of any Americans alive anywhere that you have been? So I would be very interested in any documentation you could provide that would show that someone has gotten into trouble because they reported that they had seen a live American or had information about Americans, including the fact that there's been 15,000 reports received since 1975. Would you tell me how you know that people get in trouble?

Mr. PEROT. A young man who was with the Drug Enforcement Agency brought it to my attention. He had worked inside the refugee camps, and I'm sure I can reconstruct his name. I've got it somewhere. Hopefully he's still with the Drug Enforcement Agency and you can talk to him. He was on the West Coast with DEA the last time I talked with him.

I got permission from DEA to send him back over. They gave him some time off. He went back over, went into the camps, and he can brief you on what he found is the current status.

He's married to a lady from Thailand and could speak the language, and so was able to be quite effective with the people in that part of the world, or at least that's my perception, so he can give you his experience.

But basically, over the years, I have had a constant in my life of talking to Vietnamese refugees and what-have-you who have wound up in the United States that it was not wise to bring up live-sighting reports coming into a refugee camp.

Senator McCAIN. Well, you know, a lot of the information we had was that many of the refugees felt that the fastest way you could get to the United States of America, and it did happen on several occasions, is if you did report having seen a live American, and I think it's well-documented that some of those individuals were brought directly to the United States who had reported that.

Mr. PEROT. I think if you check that, that's a small number in the early years. That turned out not to be a free ticket pretty early in the game.

Senator McCAIN. I think one of the reasons why that happened only in the early years was because we found out that they were using that as a way to get to the United States.

There's another memorandum here that I want to ask about, Mr. Chairman. I don't know if Mr. Perot has seen it or not. It's a version—typewritten version of Howard Baker's March 19, 1987 conversation with Mr. Perot. Have you seen that?

Mr. PEROT. No, I haven't. I haven't seen anything. It hasn't even been leaked to Newsweek yet.

Senator McCAIN. Well, it's rather important. Do you recall a conversation with Mr. Baker on March 19, 1987?

Mr. PEROT. Well, let me hear the conversation. You're giving me a date, a time, you're hitting me cold. Just read the conversation, and I can tell you whether or not I recall the conversation. I doubt if I could tell you whether it was that date.

Senator McCAIN. I think in fairness to you, Mr. Perot, I think maybe you ought to be able to look at it rather than me relay it. I'll be glad to wait until the next round.

Mr. PEROT. Read it to me, and if I had it, I'll tell you we had it.

The CHAIRMAN. His time is up and other Senators are waiting. What I want to do is try and keep—we're a little off the schedule, but we are going to have another round, and Senator McCain will come back on that.

Senator McCAIN. Mr. Chairman, I believe it would be fairer for him to be able to look at it and digest it.

The CHAIRMAN. We are going to be taking a break. Let me just announce that there are a couple of votes coming up back-to-back, so what we'd like to do, Mr. Perot, I understood you were going to stay with the other panel, is that correct?

Mr. PEROT. Right.

The CHAIRMAN. We appreciate that enormously, and if you're willing to, we can take our lunch break earlier because of the votes and then come back and resume with you in the early part, rather than stay through. I told you we'd try to finish up around 1:30.

Mr. PEROT. Just, you know—I don't expect any courtesy, but the same committee that coddles all these guys in the middle of it, if you would give me the documents you want to ask me penetrating questions about before I read them in the New York Times, I would appreciate it.

The CHAIRMAN. We don't have the vote yet, so we're going to go to the next Senator, but any articles or any of this subject we would be happy to provide you during that period of time. I don't want you to have any surprises here.

Mr. PEROT. That's all right. I'm just a taxpayer, you know. Treat me like dirt, go ahead. If I ever get a job with the Federal Government, I'll get special attention.

The CHAIRMAN. Senator Grassley. Could we have order, please? Senator GRASSLEY. Mr. Perot, I would like to refer back to the discussion about Dr. Shields.

Two questions, the first one not as important as the second one: whether or not, you know, where that document might be, and second, and most importantly, can you tell us who directed Secretary Clements to tell Dr. Shields that they should all be declared dead, because I doubt in my mind that Secretary Clements would make that decision at this level on his own authority.

Mr. PEROT. I don't know where the document is. Dr. Shields told me he had a copy at one time. I don't know whether he has one or not. The other one should be in the files of the Secretary of Defense. I don't have any idea who gave Secretary Clements his instructions.

Senator GRASSLEY. Well, let me ask you this: do you believe, in your own mind, that somebody would have given Secretary Clements instructions on that decision, or maybe I'm wrong and he made it at his own level?

Mr. PEROT. I just don't know. Has he appeared, or isn't he appearing here—Secretary Clements?

The CHAIRMAN. He will be appearing here.

Mr. PEROT. I would suggest you just ask him, because I don't know.

The CHAIRMAN. He has already been deposed, I might add.

Mr. PEROT. I don't know, I'm sorry.

Senator GRASSLEY. And that's satisfactory, if you don't know. I don't expect you to say anything else.

Referring to Richard Allen's—and the newspaper report that was out in the 1981 Vietnamese offer to exchange POWs for reconstruction financing, did Richard Allen tell you that? Did you hear from Richard Allen's own lips anything along that line?

Mr. PEROT. No.

Senator GRASSLEY. You did not. Do you have anything that you could say that would shed any light on that supposed conversation and that supposed deal?

Mr. PEROT. The story's been around. I've heard the story for years. Never had the proof, or near proof, that you have now. I think I'm correct in saying that there is a list of Canadian names around this story. Does your committee have those?

The CHAIRMAN. The committee does not. We talked about that earlier. Obviously, we would be—

Mr. PEROT. Let me dig through my files.

The CHAIRMAN. We're trying to turn those up.

Mr. PEROT. If there's a list of Canadian names around this, I'm not sure, but that story is not a new story, and it's a story that was always on the surface with names floating around it, including Canadian names, but none of the proof. See, you're back to the people in the room situation, and now you're getting close to the people in the room.

But again, let's assume it happened, and let's assume that in good faith the decision in the meeting was, let's not pay ransom, let's go get them, which is the story that is floated around. Let's just go get them.

Well, in all candor, that was a bad decision, but it could have been an honest decision. You can't rescue people if you don't know where they are. That was the flaw in that decision.

There's an interesting phenomenon. In this same timeframe, suddenly the Defense Department sends a guy down to me for money for a rescue. Fascinating, under the let's go get them theory. I declined, called the Defense Department, said this is a serious mistake. Then, in that same time—

The CHAIRMAN. What's the date of that?

Mr. PEROT. This was 1981, sir, in that period. I can't be more precise. In that same period, the Defense Department sent someone down and they wanted me to give financial support. I said no.

Then later I learned that a rescue attempt was made and a Colonel Garrity, who was the same officer in charge of the Marines at the Beirut airport was in charge of that whole operation and, when I did my 1986 study, I asked to see Colonel Garrity. It turned out it was very difficult to get to see him, so on and so forth; finally had a meeting in the CIA.

I do not know exactly who Colonel Garrity is, had an excellent reputation. Still does, I am sure. But was very much involved with the CIA and, at that point was retired; and I believe working for the CIA. And we had a meeting that was not that productive because nobody ever got that precise, but the rescue attempt was made under his direction.

And so, let's assume that the decision was, let's go get them. Honest mistake. No villains. It did not work. The thing that intrigues me though is, you don't ask for \$4 billion unless you have something to trade. That is the strongest possible proof Vietnam still holds the high cards, that they feel we will pay big money for our men.

Senator GRASSLEY. In regard to the Pathet Lao, so-called ambassador that you had a meeting with, Soth Petrasy, just your general view. Because of criticism of him, do you believe that he was in a position to know what he was talking about and that he told you the truth when he spoke about the number of prisoners of war?

Mr. PEROT. I had no reason. I have no reason not to believe it. I reported to the U.S. Government. They were fascinated with it. Nobody at the time said, oh, he's a liar. You cannot trust him. Ignore him. Don't go over there and talk to him. Everybody was fascinated. They were absolutely fascinated with the possibility that he said he might give us a list. They were not surprised when I came back the next day and said, well, he didn't give us a list. But no negative attacks were made on his credibility by the people

representing the U.S. Government in Laos at the time this took place.

Senator GRASSLEY. On another point, I would like to have you discuss your impressions of the intelligence information on POWs that the DIA held in 1986; specifically, I would like to know what conclusions you might have reached then about the possibility that American POWs remained in custody in Indochina as a result of your reviews of those intelligence files.

Mr. PEROT. I think my conclusion would closely parallel those of the Tighe report. And the fact that there was substantial evidence that they had left men behind.

Senator GRASSLEY. Now, on the next point. And this is not meant to be confrontational. It is just an opportunity for you to express your viewpoint. Because I am sure somewhere this will be brought up, or you have even had to respond to it before, that your interest in Vietnam was commercial; for your own commercial accomplishments. So, would you please discuss your interest, if any, in becoming involved as an entrepreneur in investments or business ventures in Vietnam?

Mr. PEROT. Never had any interest at any time. When you consider the fact that everything I did angered them—hardly a unique position for them to suddenly want to bear-hug me. But that was never an issue. I am very fortunate in that I can do business anywhere in the world that I want to. And why in the world would I want to go to an undeveloped Third World country to do business? It is probably one of the least attractive places in the world to do business.

On the other hand, any time an underdeveloped country's senior officials visit with me, they will always talk about capitalism because they see me as a capitalist. For example, if senior officials, you pick the country, from Russia to the Philippines, to South American countries, people that come in just to visit, immediately they'll go, how can we make a more dynamic economy in our country? That is just a constant in my life.

Now, when I visited with the Vietnamese, they raised the question about the need to have a better life for their people. In my letter to the President, I suggested that he send a team of people as a gesture of goodwill, to help them put together a plan for their economy. Small thing to do, plans. As you know, blueprints do not create buildings. You can have a blueprint for a house and still not have anywhere to sleep, right? Until you build the house, nothing has happened. Just little things like that.

Here is the most significant conversation I ever had with the Vietnamese about business: One night at a dinner he was asking me questions or they were asking me questions about how you create a free-enterprise economy, and I said, well, if I were you, I would see what do my people need. And since I had been on your streets, I see that all your people ride bicycles, but that most of those bicycles, or all the bicycles, seem to be built in other countries.

So, I would say, maybe we should build bicycles here. Then I would put together a plan to build a bicycle factory. And probably in the middle of it I would conclude that I can't really build a competitive bicycle. Then I would go to the country in the world that makes the best bicycles and try to do a joint venture. They would

be willing to do it because my people buy bicycles here on the streets.

Then, you have built a new little industry in your country and you have created jobs. And if you build world-class bicycles, not only do you have bicycles for your people, but you have bicycles you could export. And I said, now, that is the way you look at business opportunities.

That, I am sure, totally bores everybody in this room. But if you tell a story like that in Russia, or in Vietnam, or in countries where nobody understands how you do it, it is like you had given them the keys to the kingdom.

I told that story and, if that is the expression of anything, other than just having a conversation in the evening, I did not offer to build a bicycle plant. I don't know how to build a bicycle. I never suggested anything other than, here is the way you would create jobs for your people.

The idea for that came as I watched a man on the curb of the sidewalk with nothing but a file in his hand build a sprocket for a bicycle, and I thought, well, these people really have interesting skills. If you can do that with a file and a piece of metal, it would be fascinating. And so, when they brought it up a couple of days later, I said, well why don't you build bicycles. I doubt if they ever took me up on it.

I have had no business conversations with the Vietnamese, have no interest in business conversations with the Vietnamese. When my associate, Mr. McKillop, went over at their request several times, after my trip, they would discuss—or always raise discussions of how you build companies and what have you.

They sent this letter of intent totally unaware. I have never responded to it. I told Mr. McKillop not to respond to it. I told him never to go back to Vietnam again, because the last thing I wanted to do was get involved in anything other than MIAs. All I have done is spend millions of dollars out of concern for these people and their families.

And I certainly do not want to see—forget that—there is no business opportunity in Vietnam that I am interested in. But, certainly, in this case, I would not mix my concern for these men with that. And I can give you—for example, the Russians wanted me to do the same thing. They asked me to move to Russia and help rebuild their economy. Now, isn't that interesting?

See, everybody in Washington says, oh, that is politically correct, right? They have still got our guys from World War II, and Korea, and Vietnam. It is OK to do it in Russia. And I can go on and on. Other countries that want me to do the same thing. These countries are desperate. They need help.

Vietnam is the same situation. When you think in terms of negotiation, that is an interesting piece of leverage. If they thought we would help them build a series of small industries that would put their people to work and, over a period of time, help them rebuild their economy, you could get a lot swept up in a hurry.

The CHAIRMAN. Senator Brown.

Senator BROWN. Thank you. I wanted to follow up on your basic agreement with President Reagan and Vice President Bush, when they asked you to come and take a look at this question to review

it. As I understand it, you agreed on the condition that, if your report indicated action was warranted, that they would take action.

Mr. PEROT. Yes.

Senator BROWN. Do you feel they honored that commitment?

Mr. PEROT. No, but I know why.

Senator BROWN. What should they have done that they did not do that was indicated?

Mr. PEROT. In a perfect world, we would not have had Iran-Contra but we did, and it was at a time—see, when I started there was a deep concern and a willingness to act. And then, out of the blue, Iran-Contra hits and suddenly the whole Presidency is at stake. Everybody is on the defensive. Everybody is going through their files, etc, etc, etc.

This was no time to get anything done. And they did not want to get involved in minor issues like this at that time. So as I have said many times, I felt like I have been caught in the cycle twice. At the end of the war, we had Watergate. And now, at the end of the study, we had Iran-Contra.

It was just unfortunate, but again no villains, no conspiracy. Let's just say, it happened. And now let's go back, take the worst numbers, get down to the last three—30 percent. Say there is 10, there is 15. However many are left held against their will, the principle is the same as if there are 50,000.

Senator BROWN. Earlier this year, when the committee visited Southeast Asia and talked with Government leaders in Vietnam, Laos, Cambodia, Thailand, we asked Government officials in Laos what happened to our POWs. We reiterated the same evidence we have heard today, that you are well familiar with, of a number of Americans, a significant number of Americans that were down there that were reported alive that we know landed on the ground. We reiterated the fact that only a handful were turned over to the Vietnamese and put to them squarely the question, what happened to them?

The statement given to us by, I believe it was their deputy secretary of State or an equivalent position—John, you may want to correct me on his title. Perhaps he was an assistant, but the number two man in their foreign affairs department—was simply that at that time, they did not understand the importance of POWs to us, that they have come to understand now, and that they simply killed them.

You, of course, have had enormous contact with the Laotians through a long period of time. How do you evaluate that statement?

Mr. PEROT. First, I have not had enormous contact with the Laotians. Every time you go to Laos, the U.S. Government stonewalls you from getting to the Laotians. So you don't have that.

I don't think anybody can argue with that very much. So let's take it step by step. The Laotians have gotten everything they want from our country, including full diplomatic recognition. They don't need any headaches on this issue. To them it is a minor issue. Your group was in Laos how many days?

Senator BROWN. A couple of days.

Mr. PEROT. Couple of days. All they had to do is slow-dance you for 48 hours and get you out of town. And they got full diplomatic

recognition after you left, right? Not that you gave it to them, but it happened. In other words they did not want anything to interrupt that. That was in progress. They got it. Now, the only thing I would suggest, say: Gentlemen, if you killed them, where did you bury them?

I had a very interesting conversation one time when they were worried to death about how it would look if they killed a group of people. I am back in Vietnam now. And I said, if you will openly admit it, we can turn it into a positive thing, believe it or not. They said, how do we know it will be positive?

I said, look at what the Russians did around the Polish officers. You remember the Polish officers that they killed. And they finally said, we killed them and here is where we buried them. And from the world's point of view, that was a positive step because it accounted for the men.

I would spend a great deal of time saying: Gentlemen, No. 1, you boasted that you had them; no. 2, you said that you would give them back if we paid the reparation money, your share; no. 3, we didn't do it; no. 4, we declared them all dead a couple of months later; no. 5, we kept giving you everything you wanted over the years, we coddled you versus Vietnam because we never really had a war with you.

See, being captured or killed in Laos is just as painful as being captured and killed on Normandy Beach in World War II. So, to the person on the ground, it just is—you know, it is just as intense as World War II.

But, Laos has had all this special treatment over the years. Now then, if we don't ever say—see, you boasted—I took you down through the chain. You boasted about it, so on, and so on, and so forth. Now then, now you say you killed them, well, where did you bury them?

Senator BROWN. I should mention, at least for the record, the person we talked to and received the statement from was the vice minister of foreign affairs. His statement was that the villagers killed them, not necessarily official representatives of the Laotian Government, although, as you know, it was not the most formal Government at the time.

I think your suggestion that we ought to follow up with regard to where the bodies are buried I think is appropriate. Hopefully, that is being done.

Mr. PEROT. I have one concern here. I think we should put a tremendous premium on live Americans. Because if you can just kill a guy, bury him, and satisfy us, that is not exactly what we have in mind at this point in time. I think we need to keep—so we would have to be careful how we approach whatever—you get what I am saying here. I wouldn't want them to suddenly say, we will bring this problem up.

Senator BROWN. I guess my question, though, was to get your feeling of whether or not you believed that statement.

Mr. PEROT. I would say without any question, because the country is so primitive and it is so decentralized that there were some men killed when they crashed. Not at the time of the crash, but they would make it safely to the ground and be killed by the local people.

Some of that occurred. On the other hand, we have this evidence. If you can get our Government to ever stop playing games and just lay it on the table to you, if we knew who they held, at one point in time.

Senator BROWN. So you believe that there is substantial evidence that indicates that not all of them were killed?

Mr. PEROT. Yes. Now the people that were held at the end of the war may have been killed later. But, let's go to 1988. There is a picture floating around of—a satellite photograph, in Laos, USA walking K. You must have it. Does your committee have it?

The CHAIRMAN. Yes, we do. We will be analyzing that at another hearing.

Mr. PEROT. USA walking K. Walking K is a distress signal. Satellite photograph, 1988, Laos. And you say, well, I mean with the mindset that some people seem to have you say, well, but that was 1988. Can you see a walking K tomorrow? God I hope so. I don't know. But that is 1988, a long time after the war, somebody.

You have seen the photo of the B-52 stamped out in the grass? The CHAIRMAN. Yes, and we are going to be analyzing all of those publicly with the DIA.

Mr. PEROT. You see, then we look at all this, and then we take—and I think you should take the view, all right, let's just squeeze it down as tight as we can. Then I think I could get 100 percent of you to agree that, if we could squeeze it to zero, there is no issue. But we are not even close to zero. Even with the tightest squeeze we can put on it, we are still over a hundred and something people.

And we have all agreed that if there is one alive the principle is the same.

Senator BROWN. Your memo to the President of April 8, 1987, is very direct, very concise, very to the point. It starts off, no. 1, we left POWs behind at the end of the war in Vietnam; 2, we knew we were leaving them behind; 3, the men left behind were held in Laos. The memo goes on. Obviously that speaks directly to the concerns of the investigation of this committee.

Are there sources of information that led you to those conclusions that this committee has not yet heard from? I appreciate that that supposes that you have had access to all of our sources, and you may not have. But I ask the question because, if there is any source that we have not looked at or reviewed, we would appreciate your guidance.

Mr. PEROT. Have you reviewed the NSA people who came in under oath and gave you the signal intelligence information they had collected?

The CHAIRMAN. Yes, we have.

Mr. PEROT. That would be one of the more obscure things, I guess. If you have the time, if you could ever vacuum out everything that was collected electronically. See, they collect so much they can't get through to analyze it.

But if we could ever go through and analyze everything that was collected electronically, if we could ever get all of these fellows who took all of these unusual oaths, that collected all this, just to sit down and tell you the truth, with no fear of retribution, I think you might be staggered by what they could produce for you, in a relatively short period of time, that they collected, in terms of

Americans being on the ground. Americans being incarcerated in specific places. Americans being taken to Russia, etc., etc.

You know, the signal intelligence. That is a world-class operation. And I have one other suggestion. If anybody ever brings up to you that this would compromise their ability to collect, laugh at them because this is 20-year old technology that collected this, and they don't even use that stuff anymore. So this has nothing to do with that. They are a whole lot better at collecting now than they were then.

Senator BROWN. That is a very valid point. I might also suggest that, if there is any additional details, any additional sources, and additional thoughts in this area of things we ought to check on, follow up on, I hope you would feel free to supply that at your convenience.

If, in reflecting on this, other things occur to you because it seems to me that it is essential that we not leave this task undone. That we don't leave any sources untapped. That we not uncover any ground that could be helpful on this.

The CHAIRMAN. Senator, let me interrupt you there if I can for a minute. I think you are at the end.

Senator BROWN. I have a couple of additional questions. Obviously, we have another round.

The CHAIRMAN. We will. Let me say, Mr. Perot, I want to make sure that we proceed in the manner that we agreed to. And, if we do not, I absolutely do not want you to feel that somehow the committee is detouring from that in a way that somehow abuses you as a taxpayer or citizen.

Now, we agreed that we would go straight through and I am willing to do that.

Mr. PEROT. I am here at your pleasure.

The CHAIRMAN. We want you to be here at your pleasure, too. What I would like to just ascertain is, I am willing to go on. You had voluntarily, I take it, made the decision that you wanted to be here this afternoon for the presentations of your colleagues. We welcome you for that purpose. And it would certainly make sense so you could review those memos.

We have another vote after this. If we took a break for lunch and returned—and we will pick up with Senator Daschle's questioning and then Senator Robb and go in the same order that we are. Senator Robb, after that Senator Kassebaum, and Senator Kerrey.

And then, we do have some additional questions, on—I know, Richard Allen on the conversations with the President regarding this. And I think there are some explorations with respect to the negotiations that can help shed some important light on it. So, only if you are willing to, voluntarily, we can take a lunch break and come back.

Mr. PEROT. That is fine. Whatever you want.

The CHAIRMAN. I think that will work best. We will break for 1 hour until 1:30. We stand in recess.

[Whereupon at 12:30 p.m., the hearing was recessed.]

## AFTERNOON SESSION

The CHAIRMAN. The hearing will come to order. Mr. Perot, if you could resume your place. Thank you very much. I am sure I do not need to remind you, but I want the record to show that you have been sworn this morning and will continue under oath.

As for this morning's testimony let me just say, if I can, Mr. Perot, first of all we are very grateful to you for your decision to afford the committee that break, and then to proceed now.

I would like to suggest that for the sake of all the Senators who, I know, have a lot of questions, and for the sake of the dialog here, if we can try to keep it as focused and as targeted in the answers and questions as possible I think it would be very helpful. And the rapidity with which we can proceed will depend to a certain degree on the length of the answers, and the scope.

Let me turn now, as I said I would, to Senator Daschle.

Senator DASCHLE. Thank you, Mr. Chairman. Mr. Perot, I would like to begin by following up a little bit more with regard to the Eagleburger memo and what may or may not have happened as a result of an understanding that it existed, no. 1, and no. 2, a realization on the part of Dr. Shields that he did not feel very comfortable saying what he did when he said it.

Was there any effort—after it became clear that you were not going to get it from either the Government or Dr. Shields, was there ever an effort made to find additional routes to at least acquire whatever information may have been in the memo, as you understood it at the time?

Mr. PEROT. You're referring to Dr. Shields memo? After trying through the Government, and trying again back with Dr. Shields?

Senator DASCHLE. That is correct.

Mr. PEROT. I felt I had no other routes to go, so I made no further efforts to get it.

Senator DASCHLE. Did Dr. Shields indicate that to the extent he felt uncomfortable with what he had said publicly and how it conflicted with the private information that he had shared with you, that as crucial as that information was, it seems to me that at that point that was as close to the proverbial smoking gun as one will get?

It seems strange that after its consequences were fully realized, that nothing apparently was done either by Dr. Shields or anyone else to ensure that that information was more fully exposed.

Mr. PEROT. Well, you know, I agree that that should have been fully exposed. I had no knowledge of the Eagleburger and Richardson memos at that time. That's only recently popped out. And we're back in 1986 now, when I first learned of the Shields memo, and interestingly enough, I am looking at the Shields memo for the first time right now, and still have not read it, which is fascinating when you look at the stack of information I was about to be bargaged with by Senator McCain that I had never seen.

I asked this committee to build a two-way street. Anytime, night or day, you have ever asked me for anything, I have given it to you. I am absolutely offended that this type of information is withheld from me and is supposed to be shot at me piecemeal.

The CHAIRMAN. Let me just say, Mr. Perot, so you do not get agitated about this without cause because no one on this committee saw this packet until this morning. As you know, we are in the process of declassifying. We are literally receiving documents through the day on a daily basis. None of these documents were in the hands of this committee.

I believe there was a deposition of Howard Baker Friday—last week. And the documents were literally being copied by this committee last night at 9 p.m. Senators are seeing these documents for the first time this morning.

So that is why Senator McCain wanted you to have a chance to read them, and that is the nature of the declassification process. We are receiving things on a daily basis. I can assure you, nothing was withheld from you or from anybody else.

Senator DASCHLE. Mr. Chairman, I must say it is the first time I have had a chance to see the memo and I am intrigued, to say the least, by the opening paragraph in the memo. And I think for the record it is important that, since we have made substantial reference to some of the data found therein, that it be made part of the record at this time.

The CHAIRMAN. The full packet of documents will be made part of the record.

[The information referred to follows:]

Arent Fox Kintner Plotkin & Kahn

Fred D. Thompson  
202/857-6464

August 7, 1992

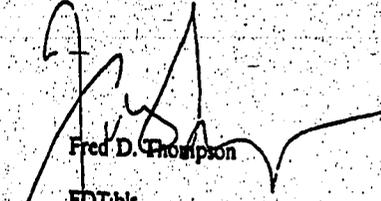
J. William Codinha  
Chief Counsel  
Senate Select Committee  
POW/MIA Affairs  
705 Hart Senate Building  
Washington, D.C. 20510

Dear Bill:

Please find enclosed the documents which you requested. The White House Counsel did not get back to me until mid-afternoon. I have not included a copy of the one-page narrative of Senator Baker's, which I understand you know about, since I also understand that it is under White House review. Therefore, I am sure you will resolve that issue with him.

We would appreciate the opportunity to review Mr. Cannon's deposition before his Committee appearance on August 12.

Sincerely,

  
Fred D. Thompson

FDT:bls

Enclosures

1030 Connecticut Avenue, NW  
Washington, DC 20036-5349

Telephone: 202/857-6000  
Cable: ARFOX  
Telex: WU 892672  
ITT 440266  
Facsimile: 202/857-6395

7475 Wisconsin Avenue  
Bethesda, Maryland 20814-3413

40 Towers Crescent Drive  
Arlington, Virginia 22182-2733

Catalogue of Materials Submitted to  
U.S. Senate Select Committee on POW/MIA Affairs  
On Behalf of James Cannon

9/14/86 News clip from El Paso Times of AP story that President Reagan had asked Perot "to get to bottom of POW issue."

3/18/87 Original of letter from Mike Deaver to HNB about the POW/MIA issue and suggesting that President Reagan appoint former President Nixon to head a group of private citizens to get information and recommend action.

3/21/87 "Memorandum for the files from Vice President March 21, 1987." (Evidently these are VP Bush's notes on a telephone conversation with Perot.)

(same day) Fuller note, hand-written, to JMC

(same day) 3:40 p.m. memo, with no name, probably by Craig Fuller, about a conversation he had with Colin Powell.

Talking points, apparently for JMC to make in a telephone call to Perot.

JMC rough draft of points to Perot, with notes in JMC handwriting about his going to Vietnam.

3/23/87 Copy of letter from VP Bush to Perot

3/25/87 Handwritten cover note from Craig Fuller with attached copy of letter from Fuller to AG Ed Meese relating to "Mr. von Marbod."

3/30/87 JMC handwritten notes on Telcon w/ Perot, apparently just after he returned from Vietnam, asking to brief Baker.

Undated Copy of Draft of six-page letter from Perot to President Reagan.

4/8/87 Copy of seven-page letter from Perot to President Reagan. Signed by Perot.

Undated "Future actions" list from Perot, apparently including with 4/8/87 letter to President Reagan.

4/9/87 JMC Memcon, apparently summarizing Perot answers to questions asked on behalf of Colin Powell.

4/9/87 JMC chronology of Perot developments for discussion w/ Army Sec Jack Marsh

4/12/87 Memo JMC>HNB: Summary recommendation on what to do about Perot and the POW/MIA issue.

4/15/87 JMC letter to Perot advising him of the legal restriction preventing JMC from working for Perot as a private consultant in behalf of the POW/MIA project.

4/23/87 Wash Post AP clip "U.S. Says Vietnam Delaying Vessey's Diplomatic Mission."

4/24/87 Wash Post news clip headlined "Perot Negotiated Secretly with Hanoi on POW-MIA Issue."

(same day) Partial transcript of WH Press Spokesman Marlin Fitzwater on Perot in Vietnam.

Undated Draft statement from WH about Perot w/ JMC notes.

File of miscellaneous notes

# Reagan asks Perot to get to bottom of POW issue

DALLAS (AP) — Billionaire H. Ross Perot said Thursday he is investigating the Vietnam prisoner of war issue at the request of President Reagan, hoping to learn whether some U.S. servicemen still are being held prisoner in Southeast Asia.



Perot believes U.S. citizens are being held in Southeast Asia, but he refused to disclose details of his newest mission.

Air Force Brig. Gen. Robert Risner, a seven-year Vietnam prisoner of war who will assist Perot, said the goal of the investigation is to produce evidence that will force the government to take action.

Perot declined to say whether he might act on his

"The president and the vice president asked me to dig into this issue — go all the way to the bottom of it and figure out what the situation was — then come see them and give them my recommendations," Perot told the Dallas Morning News.

## Panel scales back plans for veterans monument

AUSTIN (AP) — A committee planning a Vietnam and Korean war veterans monument at the Capitol lowered its sights Thursday because fund-raising has been slow and the park where the monument was to be built has been scrapped.

The committee has collected just more than it needs to pay three selected artists to produce models of their designs. Rep. Frank Collazo, D-Port Arthur, chairman of the Texas Veterans Memorial Committee, said the original designs will have to be scaled down or completely redrawn to fit a new site the committee approved Thursday.

own to free any remaining POWs or if he is limited to proposing a course of action.

The Dallas billionaire has assembled an informal group of experts, including at least two retired generals and some former Vietnam-era prisoners of war, his aides said.

MICHAEL K. DEEVER AND ASSOCIATES

SUITE 450

3050 K STREET, N.W.

WASHINGTON, D. C. 20007

(202) 844-4330

TX 510-601-0613

March 18, 1987

Dear Howard:

Recently I've had some time to think about many things I haven't taken the time to pursue for years. The continuing issue of American servicemen Missing in Action or Prisoners of War (MIA/POW's) still alive in Laos and Vietnam was brought to my attention recently after a visit with several representatives of Veterans groups who sought my advice and help. One was William E. LeGro, a retired United States Army Colonel who was senior military intelligence officer in Vietnam from early 1973 until our forces left, and also John M. G. Brown, a Vietnam veteran active in MIA/POW activities with Vietnam veteran groups.

These gentlemen are concerned that official efforts to obtain the release of Americans held in Laos and Vietnam are stymied. They, along with many Americans, are convinced that Americans are alive and being held in Southeast Asia and that United States government action to free them is stymied. They are quite upset with what they believe is a lack of action and commitment by your POW/MIA Interagency Group, and especially with Richard Armitage, Assistant Secretary of Defense for International Security Affairs, who heads the Group.

As an example, they told me that a recent study in the Department of Defense by Lt. General Eugene Tighe concluded that Americans are being held in Laos and Vietnam. According to my visitors, General Tighe's report has been classified and not released because it is counter to current policy.

At the heart of the problem, according to my visitors, is a standoff between our nation and the Lactians and Vietnamese. We refuse to negotiate with them until all missing Americans are accounted for, a policy that, perversely, prevents negotiations concerning the release of Americans held prisoner.

They believe our policy to be especially unfortunate when new leadership in Laos and Vietnam seems anxious to normalize relations between our countries.

Because matters of diplomacy are involved, my visitors believe that official action concerning missing Americans should be transferred to the Department of State and handled on the Ambassadorial level, replacing present low-level "technical" discussions originating in the Department of Defense. I disagree. If we ask any of the interested agencies, we will not get any more answers than we have received over the past fifteen years.

What has been suggested to them, I suggest to you, is the appointment of a distinguished American to look into this situation and report back to the President within a specified time. The report's conclusions would then form the basis for future American policy.

The logical candidate for this assignment is former President, Richard Nixon. It occurred on his tour of duty and he would be believable to the issue.

In addition, I suggest that you read the Tighe Report and any other government documents concerning the issue, and give serious consideration to having the President appoint someone to take a close look at current policy concerning these forgotten Americans.

I remember a Ronald Reagan who wore a POW bracelet for years and met continuously with the wives and families of those held during the long years of captivity, and I remember Ronald and Nancy hosting dinners for every California returned POW and their wives upon their return.

No other President will address this issue if Ronald Reagan doesn't do it in his remaining two years and, above all else, it's the right thing to do.

Sincerely,

*Mike*

Michael K. Deaver

The Honorable Howard H. Baker, Jr.  
Chief of Staff to the President  
The White House  
Washington, D.C. 20500

MEMORANDUM

personal  
(self-typed)

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

MEMORANDUM FOR THE FILES

FROM VICE PRESIDENT MARCH 21, 1987

phone call from Ross Perot 2:00 P.M.

"I'm shutting down my operation"

A frustrated Ros Perot called me. He requested the name of the Viet Nam Politburo member that US Govt was negotiating with in order to get the Viet Namese to accept the Vessey role as mediator.

"Our guy met with Viet Nam Ambassador to the U.N." ( I think the meeting was Friday 3-20 --- gb guess).

Ross detailed a litany of gripes. He never got the green light on his advance trip to Viet Nam. (N.B. This is the first I ever heard that he requested such a green light). I send the advance people in anyway. The advance people, on their second time in, got an invitation for me to come there ( I think this was the invitation that he actually got through UN Ambassador yesterday.).

He is upset because the government's top two people (RR + GB) got me into this. I could never get an answer or anything, he says.

I tried through Carlucci. Carlucci says "Will you get off Armitage's back if we appoint a negotiator?".

I reminded Ross that I had told him that his suggestion of a special negotiator had been approved. I told him the name of negotiator. He replied "Yes, but I had already been told of both the approval and the name" (strange twist here).

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

MEMCON - ROSS PEROT (continued page 2)

"The Viet Namese came to me out of the sky. They contacted me"

"The NSC is trying to move heaven and earth to get Vessey in ahead of me".

"There is no down side to my meeting" "I'll tell Vessey everything".

"I'd make it clear to them Vessey is our man, and turn it over to him."

Ross then went into his concerns about Childress and Armitage, stating that the POW's are not 'their main concern'.

Ross specifically asked about the people in Viet Nam "Who's resisting the try to meeting with Vessey?" "I can/get the Vietnamese to

negotiate with Vessey, but I need the name of the person on the Politburo who is resisting".

Ross, who had heretofore repeatedly told me and Fuller that he would not go to Viet Nam unless he was told that he would see live POW's, then stated that his people were now telling him it might take 2 or 3 trips to achieve this end. His people advise that the V.N. want to 'size you up' ( he made mention to his two people who have had 16 years of experience dealing with the vietnamese..) Made some refernce to "Sunshine Soldier"

and 'it may take 3 trips'. "I'd love to get a home run on the 1st trip, but that is unlikely. At least I will not be going in with a cake and a Bible"

"My guys tell me they really want me there". "My guys say 'Ross, they don't know you, so things will go slowly at first' "

"in the Friday meeting at the UN my guys brought up Vessey as negotiastor.

I'm glad to have Vessey substiute for me. I'm very high on Vessey as I've told ya".

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

Memcon- Ross perot (continued page-3-)

I suppose Craig told you that I am severing all ties with the Reagan administration. Did he mention the Reagan Library?" I assured Ross that indeed Craig had filled me in.

Ross again repeated his concern about going as private citizen. "They'd like to grab me as the ultimate hostage". With no government sponsorship he felt he'd be fair game for kidnapping.

"All I ask is the name of the guy in the politburo? Howard Baker told me someone was over there right now negotiating. (some speculation that it might be Childress)

I told Ross, if someone is there now maybe the matter has been resolved about their seeing Vessey. "If that's so, Fine!"

I assured Ross that in having Howard Baker call Ross the president was simply trying to get this whole matter back into proper channels.

I told Ross I would try to find out where the negotiating matter stood. He said "fine. Maybe Jim Cannon can call me, known him for a long time."

Perot was not angry, just calm and matter of fact. He feels he has been badly treated by all (though he didn't say so, I think he means me too).

N.B. Before leaving for Equador I called Howard Baker. Craig called Cannon, and is sending his notes to Cannon. Baker will get his notes for Cannon. Craig talked to Colin who raised doubt about there being anyone in V.Nam from USC...

OFFICE OF THE VICE PRESIDENT  
WASHINGTON, DC.

Date 3/21

TO: *Colin*

FROM: CRAIG L. FULLER

*I'll be home tonight if I can be of any help.*

*Craig*

3/21/87 -- 3:40 P.M.

TELECON WITH COLIN POWELL

- o Colin says he's heard that Ross is making calls again.
- o Ross has called Perutz and wants to know who is trying to cut him out. Perutz calls Armitage who calls Colin to find out what is going on.
- o I brief Colin on the call to the VP and indicate that the question we are trying to pursue is whether the Vessey mission is set. If it is not, can we give Perot the name of the person in Hanoi with whom we've been dealing so that Perot can directly or through an intermediary put in a good word for Vessey.
- o Colin says that we haven't been able to get far enough with discussions in Hanoi to communicate with them about Vessey. Hanoi, according to Colin, would rather deal with Perot. They have been stiffing the government because they would rather deal with Perot.
- o Colin agreed to do some checking and see if there is a way to get Perot a name that he could contact to ~~help~~ facilitate Vessey's mission -- it is possible that there is not name available, or that there is a name but the individual may not want his name made public.
- o In any event, Colin will call back.
- o CALL BACK (3:55pm): there is no one that we've been dealing with over the last few months because of their own internal situation and because ~~that~~ they believe that there is a "bigger deal" coming soon who will be bearing gifts and so our people have been stiffed.
- o we still believe that it is not wise for Ross to go... after 14 years they have denied live Americans... if they were to produce live people, can you imagine what will be asked for?
- o our policy interests not served by Mr. Perot's interests at the moment
- o we've not gotten our emissaries in in order to identify our real emissary (Vessey); hence, it would not be appropriate to have him negotiating for us... he should urge them to follow the proper channels and work through those in the US who actually represent the US.

*(cont)*

## TALKING POINTS FOR CALL TO ROSS PEROT -- 3/21/87

- o I'm calling after talking to Craig Fuller. He and the Vice President are leaving for Ecuador and they wanted me to follow up with you.
- o actually, the President has asked Howard Baker to follow-up with you on this matter.
- o however, when something as sensitive as this subject is raised, we've got to coordinate very carefully with Frank Carlucci and the national security staff.
- o let me tell you what we know and what we suggest --
- o it has not been going well with those in Hanoi and our emissaries have not been in contact with anyone who will commit to a visit by a high level US citizen.
- o therefore, there is no one individual whose name we can give you to contact should you go to Hanoi.
- o in fact, right now, the best interests of the US government might be served if you were not to go to Hanoi at this time.
- o should you decide to go to Hanoi, the best thing you could do is to try and convince them that they must deal through the proper channels and deal with those representing the United States.

Colin Powell

The man to reach is the foreign minister and deputy prime minister, Nguyen Co Thach (tock). *That's*  
 The k US has been in touch with him in the -past and ~~consider~~  
~~him~~ has worked with him. "principal interlocutor" on this matter.

But he is not ~~holding~~ holding up Vessey. We can't even get an advance team in there.

Prefer == get tock to let advance emissary in there, childress in Bangkok or somebody ~~else~~ else if childress unacceptable, to prepare the way for ~~the~~ the higher emissary, who would be vessey.

But Powell ~~is~~ is reluctant to give them vessey's name now, the Vietnamese do not know he is to be the emissary.

But would be of great help if you could get the vietnamese to let a us ~~rep~~ rep in to pave the way for vessey

any chance you could come to washington to meet with craig fuller, colin powell - deputy nsc and a good man, le general, and me. *win get back to him about that,*

① I think you should also talk to the President. *ff.*

*6 months*

*H. S. Am. - make  
 going in as per atyari  
 Don't want the full on  
 you can tell the Pres  
 but don't want NSL  
 to know.*

*They want to see you - even if you're not a member of the staff*

WASHINGTON, D.C.

Date 3/24/87

TO: JIM CANNON

FROM: THE VICE PRESIDENT

Howard tells me that you are going to see Ross. I thought you might like to have a copy of the attached for your files.

THE VICE PRESIDENT  
WASHINGTONMarch 23, 1987  
(San Antonio)Mr. H. Ross Perot  
7171 Forest Lane  
Dallas, Texas 75230

Dear Ross:

Upon receiving your call Saturday I called Howard Baker. I also informed Craig Fuller, who had previously briefed us on his two most recent calls from you. I understand that Jim Cannon will be in touch with you.

The President determined that Howard Baker would call you the other day, keeping Frank Carlucci fully informed.

I am sorry you feel you have had less than full cooperation; but I do understand your decision, relayed to me yesterday, to "get out of it" and convey whatever information you have to the new negotiator. As I recall, you strongly favored this high level negotiator concept. I helped get that concept put into effect and I know we have a good man.

I'd be remiss, Ross, based on our friendship of long-standing, if I didn't tell you I was offended by your comment to Craig knocking me for not calling you - instead of Howard Baker's calling you. The President properly made that determination. I have worked with you all along the way hoping that your energy and principled determination would lead to what you and I both want - the return of our POW/MIA's.

I will continue to do everything in my power to help gain their return. So, I am sure, will the President.

You asked if Craig had told me that you had cancelled your pledge to the Reagan library. He did tell me this. He has accurately reflected all that you have told him.

I accept your decision to "get out of it"; but I hope this does not mean that you are unwilling to pass along leads on this critical subject to those in the United States government who are working day and night to try to get the POW/MIA's released.

Mr. H. Ross Perot  
March 23, 1987  
Page two

The administration, for its part, will continue to keep this issue on the front burner. We can do no less. We owe it to those who served.

Sincerely,

  
George Bush

*P.S. Ross, I understand that you had a good talk with Tim Cannon. I'm very pleased. Given the new White House set-up, I will stay out of the "line", but will continue to assist the process any way possible.*

*CB*

bcc: Howard Baker  
Frank Carlucci  
Don Gregg  
Craig Fuller



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 2, 1987

Dear Ed:

The attached material provides details discussed only briefly with Ross Perot in connection with Mr. von Marbod.

Mr. Perot suggested that Mr. von Marbod may be "in the middle of this arms business."

He also indicated that Mr. von Marbod knows Assistant Secretary Armitage and was probably responsible for having Frank Carlucci ask Ross Perot to stop criticizing Rich Armitage.

I can confirm none of these statements. The attached is provided in the event any further review is thought to be necessary.

Sincerely,

Craig L. Fuller  
Chief of Staff to the  
Vice President

The Honorable Edwin Meese III  
Attorney General  
U.S. Department of Justice  
Washington, D.C. 20530

4/9/87

Q&amp;A of 4/8/87 Powell v Perot

Q1: Intriguing that Vietnamese officials acknowledge existence of live prisoners. Did Thach or any other official tell him that in the presence of others, in a formal session?

A: No official actually came out voluntarily and said they were there. At first they said they couldn't be any Americans in Vietnam because the US Defense Department had long ago declared them all dead. But under Ross' strong questioning, and as he said he knew of intercepts of Pathet Lao traffic indicating we knew they are there, they talked of the possibility that US prisoners might be in the hands of the Laotians, and that if this were so, they the Vietnamese would be helpful in getting them from the Laotians. Ross said they believe our spy satellites can see and recognize people on the ground. But Ross emphasized that no Vietnamese official he talked with stated flatly that there are live American prisoners.

Q2: Who was with Perot?

A. He did not tell me the names, but said one had been with him at EDS and the other was a personal staff person who had made an advance trip into the country. I asked if one were a retired general and the other a retired navy captain and he said he did not know who I might be talking about.

Q3: Is there anything else Ross can do privately or is he ready to turn it over to Vessey et al?

A. He said he could keep talking to the Vietnamese guys between now and their election on April 19. He said that he has had calls from the Vietnamese at the UN asking trying to find out if he had seen the President since his return from Hanoi. The important thing Perot wants, he said, is acknowledgement from the President that he has received the Perot recommendation of the appointment of a senior negotiator, and that he the President accepts that recommendation and will act on it in the near future -- he referred again to the draft Presidential statement he suggested. "I want the Vietnamese to see that Perot doesn't waste any time."

After the election and the announcement of Vessey, Ross said, he would want to help Vessey by providing all the information and impressions he got from his trip to Hanoi, pay for his support staff, maintain his personal contacts with Vietnamese leader toward the objective of helping them improve their manufacturing, business methods and so on. "You see they have an incorrect view of what I can do for their economy, and I say let's capitalize on that for the

time being to get discussions started."

But he said he is ready to step back and be privately helpful as soon as Vessey is appointed.

Q4. What did Perot tell him about the Vessey mission?

A. That it should have a broad range of negotiating responsibility, and not be confined to MIA/POW issues.

Q5. What does Ross think the Vietnamese expect from the US?

A. Allowing their UN observer to go beyond the 25-mile limit. Permitting them to have some kind of an economic adviser, Vietnamese, stashed away in the Swedish or Swiss embassy. Allowing their prize-winning piano player to go on a concert tour in the US. Counsel on improving their economy. Help in training their workers in better building methods. The old buildings built by Vietnamese workers under the supervision of French engineers are still in great shape, but the newer ones built with the help of the Russians and Cubans are already deteriorating. Support for getting the Russians out of the country by diplomatic means. In time, permitting Thach to make at least an unofficial visit to the US. Ultimately, some form of trade with the US. And in time, Ross thinks, they would be willing to lease facilities in Camranh Bay to the US -- because the Americans who came ashore in Vietnam had money to spend in Vietnam and the Russians don't.

However, Ross said, I would give them very little, nothing but minor symbols, until they come across with assistance in letting US teams go anywhere in Vietnam or Laos to look for remains and live prisoners in Laos.

DRAFT

Dear Mr. President:

My findings on the POW/MIA study are as follows:

- 1) We left POWs behind at the end of the war in Vietnam.
- 2) Most of the men left behind were in Laos. The evidence is overwhelming.

-- There are <sup>(check)</sup> 552 MIAs in Laos.

-- The Pathet Lao repeatedly made public statements about holding POWs.

-- The Pathet Lao had said repeatedly they would not release the men until they received the money promised in the Nixon letter.

-- The Paris negotiations with Vietnam did not include Laos.

-- The CIA could listen to the Pathet Lao radio system during the war, and had 95 hard cases. (I was personally briefed on this during the war.)

- 4) We knew we had left men behind. Key people working on the issue expected a second group of POW's from Laos.
- 5) In the Spring of 1973, Congress decided not to pay the money President Nixon had committed in his letter.
- 6) Watergate was underway, and our government was not functioning well.
- 7) In April 1973, the Defense Department declared that there were no more living Americans in Southeast Asia. This is the greatest single mistake made on the POW issue. This was done at a time when we knew we had left men in Laos--(and probably in Cambodia and Vietnam).
- 8) In my recent visits with the Vietnamese, they said, "Why did your own government declare these men dead right after the war. After all these years, how can you expect us to take you seriously about looking for live Americans?"
- 9) It is unrealistic to attempt a military rescue of these men.
  - We don't have the military presence in Southeast Asia to do it.
  - We don't know exactly where they are.

-- The risk/reward ratio makes the whole idea impractical.

- 10) We should not spend more time investigating why the men have been left behind for fourteen years. Our attention must be focused on bringing the men home.
- 11) There is only one realistic way to gain the release of the men--through negotiations.
- 12) Several months ago, I recommended appointing a Presidential negotiator. I urge you to appoint a personal representative to negotiate with the Vietnamese. General Vessey is an excellent choice. He will have my full support.
- 13) MIA family members and veterans groups will react positively to this action.
- 14) General Vessey must report directly to you--not to the Secretary of State or the NSC, if he is to have the status needed to successfully deal with Vietnam.
- 15) General Vessey's role cannot be limited to recovering the POW/MIAs and remains. This would make him ineffective with the Vietnamese. His role must be a broad one--to resolve the outstanding problems with Vietnam, Laos and Cambodia.

- 16) I have strongly endorsed General Vessey to the Vietnamese. (They did not seem to know much about him.)
- 17) The fact that he is a soldier, not a diplomat, is a plus to them.
- 18) They agreed to give me their reaction to having him appointed in the near future. They were pleased that we had reviewed this matter with them in advance. Apparently, we have not done this in the past.
- 19) My meetings were with the Foreign Minister, Mr. Thach. There is a good chance he will become the nation's leader, after the April elections.
- 20) We should publicly announce the recommendation that a negotiator be appointed as soon as possible, but we should not announce Gen. Vessey until we have received a positive indication from the Vietnamese, and until after the April elections--April 19<sup>?</sup>
- 21) General Vessey must be prepared to work on this matter full time, and make several trips to Southeast Asia.
- 22) In my meetings with the Vietnamese, I have carefully postured the conversations so that the MIAs would be found and returned from Laos. This approach allows Vietnam to release the men without criticism.

Vietnam stressed that Laos is a sovereign country, but that they will help us in every possible way. Foreign Minister Thach is very shrewd and knows exactly what is going on.

23) Information regarding conditions in Vietnam and Southeast Asia, and the concerns of Vietnam's leaders was conveyed to me during the meetings. This may be helpful to General Vessey. Howard Baker has this information, but I am not including it in this letter in an effort to keep it brief.

24) The principal obstacle in obtaining the release of these men since the end of the war has been a lack of diligence and follow through by our government. Choosing a man of Gen. Vessey's stature, giving him a broad mission, supporting him with whatever resources he needs, and having him report directly to you is the strongest possible approach to gaining the release of these men.

25) I will maintain my contacts with the Vietnamese, if they continue to show an interest in me. Working as a private citizen, I will keep Gen. Vessey and the appropriate persons on the White House staff fully briefed.

Best wishes.

ANNOUNCING VESSEY AS THE CHIEF NEGOTIATOR

- 1) Publicly announce HRP recommendation that the President appoint a chief negotiator. The White House should do this, with the statement that the President has accepted the idea. (I have always excluded myself from consideration as the negotiator).
- 2) Make it clear that the chief negotiator's role is a broad one--not limited to POW/MIA issue.
- 3) After the April 19 elections in Vietnam, and after we get the green light on Vessey, announce Gen. Vessey as the chief negotiator.
- 4) I will make a very strong statement endorsing Gen. Vessey. This will have a positive effect on the MIA families and Vietnam veterans groups.
- 5) I will make it clear that my work is done, but that I will support Gen. Vessey's efforts as a private citizen in any way that is appropriate. (This leaves me room to continue to talk with the Vietnamese and be a sounding board for Gen. Vessey.)
- 6) I will need a way to provide direct input to the White House as well as Vessey, but not through the NSC.

April 8, 1987

The Honorable Ronald Reagan  
 President  
 The White House  
 Washington, D. C. 20500

Dear Mr. President:

My findings on the POW/MIA study are as follows:

- 1) We left POWs behind at the end of the war in Vietnam.
- 2) We knew we were leaving men behind.
- 3) The men left behind were held in Laos.
- 4) The evidence that men were held in Laos is substantial--

-- There are 343 MIAs in Laos.

-- During the war, Pathet Lao officials repeatedly made public statements about holding POWs, including statements made directly to me.

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Two

-- The CIA listened to the Pathet Lao radio system during the war, and had detailed information about live POWs in Laos. (During my trips to Laos during the war, I was personally briefed on this point by the CIA.)

-- At the end of the war, the Pathet Lao publicly stated that they would not release the men until they received the money promised in the Nixon reparations letter.

-- The Paris negotiations with Vietnam did not include POWs from Laos. The Vietnamese emphasize this point.

-- The Pathet Lao never released any POWs directly or explained what happened to the men they held. (A small number of men who were captured in Laos and turned over to Vietnam for detention were released by Vietnam, along with the other POWs.)

5) In the Spring of 1973, Congress decided not to pay the \$3.25 billion President Nixon had committed in his letter.

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Three

- 6) Watergate was underway, and our government was not functioning well.
- 7) In April, 1973, the Defense Department publicly declared that there were no more living Americans being held in Southeast Asia.
- This is the most significant mistake made by our government on the POW/MIA issue.
- This was done at a time when we knew we had left men in Laos (and probably in Cambodia and Vietnam).
- 8) In my recent visits with the Vietnamese in Hanoi, they said, "Why did your own government declare these men dead immediately after the war? After all these years, how can you expect us to take you seriously about looking for live Americans?"
- 9) It is unrealistic to attempt a military rescue of these men.
- As a practical matter, we are not going to start a new war with Vietnam--even a small one.

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Four

- We don't have the military presence in Southeast Asia to conduct a rescue effort.
- We don't know exactly where our men are held--and we must know exactly where they are held to successfully carry out a rescue.
- The risk/reward ratio makes the whole idea impractical.
- 10) We should not spend more time forming commissions to investigate the reasons these men have been left behind for fourteen years. All efforts must be focused on bringing the men home.
- 11) There is only one realistic way to gain the release of the men--through negotiations.
- 12) Several months ago, I recommended appointing a Presidential negotiator. I urge you to appoint a personal representative to negotiate with the Vietnamese. General Vessey is an excellent choice. He will have my full support.
- 13) POW/MIA family members and veterans groups will react positively to this action.

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Five

- 14) General Vessey must report directly to you--not to the Secretary of State or the NSC--if he is to have the status needed to successfully deal with Vietnam.
- 15) General Vessey's role cannot be limited to recovering the POW/MIAs and remains. This would make him ineffective with the Vietnamese. His role must be a broad one--to resolve the outstanding problems with Vietnam, Laos and Cambodia.
- 16) At Howard Baker's request, I have strongly endorsed General Vessey to the Vietnamese. (They did not seem to know much about him.)
- 17) The fact that he is a soldier, not a diplomat, is a plus to them.
- 18) They agreed to give me their reaction to having him appointed in the near future. They were pleased that we had reviewed this matter with them in advance. Apparently, we have not cleared such appointments in the past.

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Six

- 19) My recent meetings in Hanoi were with the Foreign Minister, Nguyen Co Thach, who is also Vice-Chairman of the Council of Ministers.
- 20) You should publicly announce your acceptance of the recommendation that a Presidential negotiator be appointed. (The Vietnamese are expecting this announcement as a signal.)
- 21) You should not announce General Vessey as your negotiator until we have received a positive indication from the Vietnamese.
- 22) General Vessey must be prepared to work on this matter full time for many months and to make several extended trips to Vietnam.
- 23) During my meetings with the Vietnamese, I carefully postured the conversations so that the MIAs would be found in Laos and returned by the Laotian government. This approach allows Vietnam to avoid criticism for having held the men.
- 24) Information regarding economic conditions in Vietnam and Southeast Asia and other concerns expressed by

The Honorable Ronald Reagan  
 April 8, 1987  
 Page Seven

Vietnam's leaders were conveyed to me during the meetings. This may be helpful to General Vessey. Howard Baker has this information, but I am not including it in this letter in an effort to keep it brief.

- 25) The principal obstacle in obtaining the release of these men since the end of the war has been a lack of diligence and follow-through by our government. Choosing a man of General Vessey's stature, giving him a broad mission, supporting him with whatever resources he needs, and having him report directly to you is the strongest possible approach to gaining the release of these men.

Best wishes.

Sincerely,



Ross Perot

FUTURE ACTIONS

- 1) Approve lifting the twenty-five mile limit when Foreign Minister Thach visits the United Nations. Perot will take him on a private trip across the United States, in appreciation for Thach's past willingness to allow search teams and POW/MIA delegations to enter Vietnam.
- 2) Allow a small number of Vietnamese to visit the United States to study our economic system. Perot will make all arrangements.
- 3) Allow the Vietnamese pianist to tour the United States. Granting a visa is the only action required. Perot will handle other arrangements.
- 4) Allow General Giap to make a private trip to the United States.
  - Lecture at the War College.
  - Visit with the Joint Chiefs.
  - Perot will take him to points of interest in the United States.

5) Approve Perot sending a small group of businessmen and economists to Vietnam to talk with them about rebuilding their economy.

6) General Vessey's mission must be a broad one--not limited to POW/MIA. If his mission is limited to POW/MIA, we are wasting his time, and we will not accomplish our objective. (It is my view that the Vietnamese will not even meet with him, if his mission is limited to POW/MIA.)

7) Have Marlin Fitzwater set the record straight--

-- That Perot was asked to make the POW study by the President and Vice-President.

-- That Perot's conclusion was that a Presidential negotiator should be appointed.

-- That President Reagan concurs with the conclusion and that General Vessey is his choice.

This will repair the damage done in Vietnam by the inaccurate State Department releases.

*to remain w/ Mond 4/6/87*

chronology

sometime in 1986, before McFarlane left, Ross Perot talked to Pres Reagan, possibly with Nancy present, about Vietnam POW/MIA situation, offered to help, RR said yes.

Ross sent people in to Vietnam to see what might be done.

Mentioned to Don Regan, leaked to B Sam Donaldson

Mentioned recently to George Bush, who couldn't decide whether he should go as official or pvt Mxx citizen. Ca

Bad, long-standing vendetta Perot v Carlucci- Cap

Baker asked to call Perot, mxx suggest he go as pvt citizen. Perot irate, at Baker, Bush, president, cancelled library contribution pledge. Perot felt being invited to violate Logan Act, and jeopardize personal safety.

In conversation with Baker, he suggested Baker say hello to me.

Bush/Baker asked me to call him, see what I could do. Ross: live people

1st conversation pleasant, reviewed his version of issue: people, bones

then Colin Powell asked me to get him to consider clearing a team to be advance for Vessey to go in as senior negotiator (3/21)

end of conversation, Ross said leaving next day, in response to invitation extended through Vietnam UN Rep on behalf of FM Nguyen Thach

asked me not to tell anybody -- afraid carlucci try to stop him, even by creating accident. "I've worked with those boys overseas, remember

kReturned about 3/30, asked to see baker, brief him. asked that his role be publicly ack, as signal to Vietnamese, wait until election 4/19 Baker/Cannon tuesday 4/7. Baker to Pres next day. Pres, VP, Carlucci unwilling to do anything at that pt. Pix to Carlucci: real. Perot wants to retain Cannon: illegal under ethics rules Cannon to Powell: What should we do. Powell somewhat willing to help.

Griscom: If one person alive, and RR gets him out, extraordinary event. If only bones, not too much for Pres

Questions: 1/ any hope there is anyone alive? *about 100,000*  
2/ Vessey right person? Good health, arduous circumstance  
3/ Guidance to JMC

*contact Steve Spence*  
*Fluoridite Baker*  
*x H*

April 12, 1987

MEMORANDUM TO SENATOR BAKER

FROM: JAMES M. CANNON  
 SUBJECT: VIETNAM POW/MIA ISSUE

You asked me to make a private recommendation to you about Ross Perot and the Vietnam POW/MIA issue.

First, it is not clear to me exactly when and to what extent President Reagan talked personally to Perot about this issue. Discussions began when Bud McFarlane was Director of NSC, according to Perot, and took place from time to time since then. I don't believe we will know the facts about this unless and until I sit down with Perot and construct a chronology with specifics of what happened when and with whom, a chronological account that we can then check with President Reagan, McFarlane, and others involved. To do this will require some effort and cost; you can better judge its value.

What is most important now, at this point in the broader issue, is that --

-- NSC and/or Defense concluded that General Vessey should go to Hanoi as senior negotiator for the U.S., and

-- Perot has cleared the way for General Vessey's acceptance by the Vietnamese.

So, I suggest, let's go ahead. I believe NSC should proceed with the steps necessary to put Vessey in place.

I recommend the following:

1. Issue the White House press release this week, the draft of which I gave you and General Powell. It acknowledges that Perot studied the issue at the request of President Reagan, made a recommendation for the appointment of a senior negotiator, and that recommendation has been accepted. To do so may cost something in personal sensitivities; but it is the most expeditious way to get going. And not to do so will put the clearance for General Vessey back in the hands of the NSC staffers who -- for whatever reason -- cannot get into Hanoi to talk to Nguyen Thach and other Vietnamese officials.

2. Wait for the Vietnam elections on April 19.

3. If Thach wins, have the President's UN Representative, Ambassador Walters, arrange with the Vietnam

UN Representative to formally inquire whether Vessey is acceptable.

4. To backstop the UN approach, if necessary, ask the British and French, who I am told have representatives in Hanoi, to pave the way for Vessey.

5. Before Vessey goes to Vietnam, you might ask Ross to brief Vessey on who he met and what he saw and what advice he might have for Vessey.

From what I have been able to learn in a few days, the chances of finding a live prisoner in Laos or Vietnam are slim. After you left last week I went over to talk with Jack Marsh about the possibility of a prisoner, and he says the chances of there being one are "almost none." When I asked him to state the odds, he suggested 1 in 100,000.

Yet, we need to know. With Vessey in place, we could put in teams to cover Laos and Vietnam and answer the question once and for all, and recover the remains of Americans we know they do have.

In summary, I believe that you and President Reagan have an opportunity to write the last chapter of the American War in Vietnam, and I recommend you do it.

The country will be grateful when that finally happens, and history will not overlook what you have done to close that sad experience.

*copy*

April 15, 1987

Dear Ross:

It is important to me that you know the legal restriction placed on me in working with you on the Vietnam POW/MIA issue.

In essence, I can work with you on behalf of the White House; but on this issue I cannot work with the White House on your behalf.

The White House lawyers tell me I can work with you on any other issue or enterprise, and I could talk to anyone in the White House or Administration on your behalf on any other issue or project.

At any rate, here is a copy of the guidance I received from the White House deputy counsel. You might want to have your lawyers look at this.

Sincerely,

The Honorable Ross Perot  
(By Hand)

AB THURSDAY, APRIL 23, 1987

## U.S. Says Vietnam Delaying Vessey's Diplomatic Mission

Associated Press

The Reagan administration said yesterday it has asked retired Army Gen. John W. Vessey, a former chairman of the Joint Chiefs of Staff, to prepare for a diplomatic mission to Vietnam, but that actions by Hanoi have delayed the initiative.

State Department spokesman Charles E. Redman disclosed that President Reagan asked Vessey last fall to be an emissary to Hanoi to help improve efforts to account for missing American servicemen.

Redman said the decision was based on Vietnamese cooperation and it was to be aimed at exploring

ways that progress could be accelerated."

Since then, however, "the Vietnamese have not agreed to any meetings, technical or policy," he said.

Vessey, 64, a 44-year Army veteran, served in the Vietnam war and was chairman of the joint chiefs from 1983 to 1985. In early April he was appointed to a presidential commission investigating breaches in U.S. embassy security, an apparent indication of the dormancy of any Vietnam initiative in which he might be involved.

Since the fall of the U.S.-backed Saigon government in 1975 and the

unification of the country under communist leaders, the United States has sought cooperation from Vietnam in accounting for approximately 2,500 American servicemen who were missing in action or failed to emerge from prisoner of war camps.

For a long time, Hanoi pegged its level of cooperation to U.S. willingness to improve general relations between the two countries, but it later said it would treat the POW-MIA effort as a separate, humanitarian endeavor.

Redman said the Vietnamese informed the United States that the delay in further meetings is due to internal political reasons.

"We hope that that's true and not an indication that they intend to attempt linkage to other political matters which they had previously agreed were separate from these humanitarian issues," Redman said.

THE WASHINGTON POST

# Perot Negotiated Secretly With Hanoi on POW-MIA Issue

By David Rensick  
Washington Post Staff Writer

Dallas billionaire H. Ross Perot held three days of secret meetings on the POW-MIA issue in Hanoi late last month with high-ranking Vietnamese officials, according to informed sources. Perot confirmed the report, adding, "I went as a private citizen and at my own expense."

Perot told the Vietnamese that the Reagan administration wanted to send retired Army general John W. Vessey, former chairman of the Joint Chiefs of Staff, to Vietnam as a presidential envoy to explore the prisoner of war-missing in action issues.

A White House official said last night that the administration knew Perot was planning such a trip. Sources said that the administration "quickly approved" the mission. Perot met with White House officials to discuss his trip after his return at the end of March.

In a telephone interview yesterday Perot said he met with Foreign Minister Nguyen Co Thach on March 25 and was "treated with every courtesy," but he would not comment extensively on the talks. "I still believe we left men behind," Perot said.

Perot said the Vietnamese reaction to the suggestion of a Vessey mission was "constructive." Perot, who has been working with the White House on the issue since last year, expressed frustration with the administration's handling of relations with Vietnam and said he would no longer help deal officially with Hanoi.

He criticized Wednesday's statement by a State Department official that the Vietnamese were delaying the Vessey mission. "These negotiations with the Vietnamese are like a fine china plate, and that State Department comment was like dropping that plate on concrete," Perot said.

Perot said he is "finished" working for the administration on the issue and charged the U.S. government with "arrogance" in its recent dealings with the Vietnamese.

Nguyen Dang Quang, the first secretary of Vietnam's delegation to the United Nations, said yesterday that his country was not delaying the proposed U.S. mission to Vietnam and was "seriously considering the proposal."

Last Friday, Vietnamese ambassador Duong Son Nhat met with State Department officials at Vietnam's U.N. Mission in New York.

Quang said yesterday, "We asked if the United States had set a date for the mission, and they said it was up to Vietnam—when it was convenient for the Vietnam side."

The State Department has expressed the hope that the Vietnamese will not try to link resolution of the POW-MIA issue to any other issues. Perot, however, said, "For Gen. Vessey to be effective, he

must be given a role much broader than just POW-MIA. He must have the authority to discuss a number of issues important to both countries. Limiting his role is a mistake."

Perot, a computer services magnate worth \$1.5 billion, has been involved in the issue since 1969 when, at the request of the Nixon White House, he rented two Boeing 707's and tried to deliver food and supplies to prisoners of war in what then was called North Vietnam.

He gained further notoriety when he led a team of self-styled commandos freed two of his overseas employees who had been jailed in Tehran during the Iranian revolution.

Last spring, Lt. Col. Oliver L. North, then an aide on the National Security Council, in an effort to free American hostages in Beirut, asked Perot to put up a \$1 million ransom. Perot agreed, but the plan went nowhere.

Perot said the invitation to visit Vietnam came from Thach last winter

and on March 19 the White House approved a plan for him to go but as a private citizen. Perot sent two associates to Vietnam for preliminary meetings before making his own trip last month.

"The POW-MIA issue is very controversial with the people at the village level," Perot said. "They are very critical of their leaders for spending so much time on it. They say, 'We're a poor country and 100,000 of our own sons are missing after the war. Why don't we look for the remains of our own sons before we look for the remains of our former enemy?'"

"The Vietnamese feel the room around there and search for it. In exchange, we've been rude and arrogant in dealing with them."

As of Jan. 14, 1986, the Department listed 2,441 Americans still missing in action. A total of 137 bodies identified as American have been recovered.

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

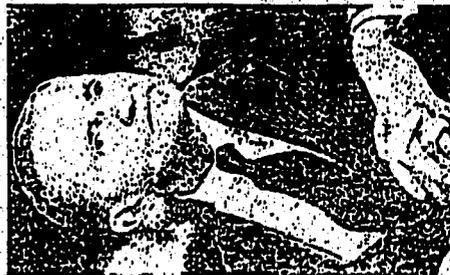
April 24, 1987

## STATEMENT BY THE ASSISTANT TO THE PRESIDENT FOR PRESS RELATIONS

As a correction in today's press briefing, the government was not aware that Mr. Perot had gone to Vietnam until after he had returned and provided the White House with a debriefing.

♦ ♦ ♦

... "I went as a private citizen"



April 24, 1987

MR. FITZWATER: He told me this morning he thought that was all it could be because that's all he could imagine it being, but I don't think -- I didn't ask the question quite that way.

Q Well, how could --

MR. FITZWATER: It's an interesting question. I don't know. Maybe call Rhett Dawson. Well, I'll tell you, let's figure it out afterwards and we'll post it, because we might have to go to several sources to find this out.

Bob?

Or better yet, why don't you call Inouye. Let's call Inouye and ask him. That'd be the easiest way.

Q Get him on the phone --

Q -- speaker phone. (Laughter.)

MR. FITZWATER: What are you talking about, Senator?

Bob?

Q Would you review please whether the Counsel and the committees see the entire diary or excerpts?

MR. FITZWATER: Excerpts. E-x -- (laughter.)

Bob? Bill?

Q You're losing control in here, Marlin.

Q Don't you think it's important to the credibility of the this whole excerpt -- that you be able to say something that goes to the point of what, if any, Iran or Contra material would not be in these excerpts -- what would be excised?

MR. FITZWATER: They would all be included -- everything related to Iran would be included.

Q Everything related to Iran and the Contras will be included in these excerpts -- you can say that flatly?

MR. FITZWATER: I can -- yes.

Ira?

Q Can we get to Ross Perot?

MR. FITZWATER: Sure.

Q There's a story in the newspaper that says he went, as I recall, without looking --

that he went to Vietnam with the blessing -- the tacit blessing of the President, now will not conduct any further negotiations because the State Department acted arrogantly in talking about it. Did the President give his blessing? What's going on in these negotiations? And attack the State Department, please.

MR. FITZWATER: Well, there's a lot -- it's difficult to describe the process, but to the best of my knowledge, the situation is that Ross Perot has been interested in and involved in the MIA-POW process for a long time. He has committed a considerable amount of his time and energy and money to this issue and has consulted with people in and out of the administration on a variety of levels about this for a number of months. His role is unofficial as far as the administration is concerned. However, he has discussed this matter, from time to time, with the President, the Vice President, the Chief of Staff, and others.

His most recent trip we were aware of. He did discuss it with the Chief of Staff. And we wished him success, as we have in all of his endeavors on behalf of POWs and MIAs.

Q Was that when he was in to see Regan shortly before Regan's departure?

Q Right, that's correct.

MR. FITZWATER: I think that was a case -- he was in to see Regan, but he was -- I think he was also in to see Howard Baker.

We have consistently said that we would welcome anyone who has information on POWs and MIAs. We certainly welcome the support of a man like Ross Perot. Now, when you get into specific relationships with departments and so forth, I don't really know what they are, but I would prefer to leave it to --

Q First of all, does either the law or the Tower commission report give you any pause about having a private individual conducting what amounts to diplomacy?

MR. FITZWATER: He is keeping the government informed of his actions. He's doing them on his own. One can go into Vietnam on his -- on their own. And so we have no reason to be concerned that I'm aware of.

Q Are you disappointed that he's now discontinuing it -- appears to be?

MR. FITZWATER: I don't know what his plans are now.

Q Perot feels that Colonel Childress has undercut him and has consistently tried to keep him out.

MR. FITZWATER: I know that he has had differences with several people in and out of the government, some private groups as well as some government officials that he has not agreed with in terms of the course of action. And our response has been that we welcome his ideas and he's free to help out in any way that he can. But I simply won't get involved in any of his personal discussions with government officials.

Q Well, Perot feels that many times -- or he wants to see more records and you've denied him, although you gave him access originally to some of DIA's records, that you deny him the right to see all of the records pertaining to this issue.

MR. FITZWATER: It was my understanding that he had seen all of the records pertaining to this issue. Now, there may be some debate there, but I know that we have been very forthcoming in involving him in reviews of records and reviews of documents, discussions with government officials. I know that he has been very involved with the know of

head of the DIA and with the CIA and others. And I don't know of anything that has been denied him.

Q Well, let's face it, his view is that there still may be people alive over there -- or there still are people alive over there. As I understand it, the administration's view is that there is no credible evidence to that extent that you've seen. Is that correct?

MR. FITZWATER: We don't have any credible evidence. But like him, we have to assume that it's possible and we certainly welcome his work in that behalf. That's what guides our policy. We have people working all over the world searching for POW's and MIA's.

Q Then what do you need him for?

MR. FITZWATER: We welcome everybody. If you want to go, Ira -- anybody.

Q You mean I could talk to the head of a foreign government or a representative of a foreign government on behalf of the United States --

Q -- called the Logan Act --

Q -- on behalf of United States' aim? Which is the --

MR. FITZWATER: We couldn't say you'd pass yourself as the Undersecretary of State. (Laughter.)

Q No, but --

MR. FITZWATER: But if you wanted to go to China and he was willing to talk to you, you could sure do it.

Q Wait, I thought that's against the law -- when you're representing --

Q Go, Ira. (Laughter.)

Q That's not against the law?

Q Marlin?

MR. FITZWATER: Sarah?

Q Only when Jesse Jackson does it.

Q Mr. Perot said that recently -- pardon my cold -- Mr. Perot said that he was asked by the White House to look into this. Now, how could he be asked by the White House to look into this and be given all of these records, and all of this access to top people, and all this information and still be an unofficial representative?

Q Ollie did it.

MR. FITZWATER: Well, it's kind of a fine line there in a sense, but I do want to try to draw it. And the line is that we appreciate his work. We have tried to be helpful. We have gotten him involved, in a sense, of showing him as much as we possibly can.

Q The door.

MR. FITZWATER: But he is not operating as a government representative.

Q Marlin, Perot came in about two months ago and suggested this visit, but he also wanted the President's endorsement and consent to his being the lead representative or agent with regard

MORE

#2059-04/24

to the MIA issue and he was turned down on that. Now was there a subsequent meeting? And was he given that kind imprimatur at the subsequent meeting?

MR. FITZWATER: I don't know of any subsequent meeting. As far as I know, the status is unchanged.

Q But you said he met with Regan. I presume he met with Regan on that instance, which, I think was about two months ago.

MR. FITZWATER: I don't know.

Q And you said he meant with Baker afterwards.

MR. FITZWATER: He's been back in since the trip and briefed us on the trip as well.

Q But did he meet with Baker before going? Did he get a different response from Baker than he got from --

MR. FITZWATER: That I don't know.

Q Well, you just said that he presumably met with Baker as well as with Regan.

MR. FITZWATER: Yes, I think --

Q So if he did, that could be a later set of instructions, and that is, indeed, what he wanted. He wanted control and he was perceived around here as a pain in the ass.

MR. FITZWATER: His instructions did not change at anytime. His instructions were that --

Q He had no instructions in the first place.

MR. FITZWATER: Our reaction has been the same from the beginning -- that we welcome his work, we hope he is successful, but he is not a government representative.

Q Has he briefed the President since he's been back?

MR. FITZWATER: Saul?

Q Marlin, just as a matter of principle, why should he be anymore effective than the United States government?

MR. FITZWATER: I don't know that he is. It's simply that he has the interest and --

Q And the principle.

MR. FITZWATER: -- the money, and the time, and he's willing. And we welcome --

Q Doesn't the United States have the interest of the

MR. FITZWATER: We have all of that and we're doing an awful lot. And we think we've done a very good job in this area.

MORE

#2059-04/24

Q Isn't there a -- the real -- one of the holdups is there -- that we need a political settlement of some sort of

MR. FITZWATER: Well, I don't -- I couldn't --

Q And are we willing to do that?

MR. FITZWATER: I couldn't tie the two together. I mean, our search for MIA's and POW's is --

Q So, he's more effective than --

MR. FITZWATER: -- a separate issue.

Q -- the United States government in this thing?

MR. FITZWATER: I wouldn't say that, no. He is effective and we are effective.

Q What time is it?

Q About noon.

MR. FITZWATER: Walter.

Q In light of Mr. Perot's willingness to pony-up money to pay for the release of hostages in the past, aren't you a little concerned about him in any way unofficially or otherwise representing the interests of the United States in trying to get these people out of Vietnam if, indeed, they are --

MR. FITZWATER: He doesn't represent the interests in the United States. He's free to do whatever he wants in a private basis.

Q - If, in fact, he were to use some of his cash resources to obtain the release of individuals held in Indochina, would the administration support that?

MR. FITZWATER: We would not support that or encourage that, no.

Q Well, you went to him and asked him for money in the hostage crisis in Lebanon.

MR. FITZWATER: Well --

Q Two million bucks.

Q Oll.

MR. FITZWATER: I don't know what Oliver North did, but the United States policy remains the same -- that we do not believe in ransoming for hostages nor do we encourage other countries or persons to do so.

Q And that applies as well to POW's or MIA's if, indeed, there are any alive.

MR. FITZWATER: Well, I think that's different than a hostage situation, but again, a private citizen can do what he wants to do.

Q If they're there against their will they're hostages.

Q Marlin, come on --

Q Now, wait a minute, wait a minute -- can I follow -- you seem to be endorsing the notion that the United States might

MORE

#2059-04/24

- 25 -

indeed support paying the ransom for the return of any people --

MR. FITZWATER: No, no.

Q Well, how can you distinguish between a POW and a hostage in Lebanon?

MR. FITZWATER: I don't mean to. I must have said that wrong. I don't mean to.

Q You said it's different than a hostage situation.

MR. FITZWATER: Well, I was saying -- but what Perot is doing --

Q But, to state it clearly, would you say that the United States would oppose paying any money for return of people from Indochina -- by the government or any private citizen?

MR. FITZWATER: Having trouble there, Dan?

Q By the government or by any private citizen?

Q Essentially, you aren't. (Laughter.)

Q Marlin --

MR. FITZWATER: Suzanne.

Q You said you welcome Perot's efforts at -- but he was still a private citizen and you all turned down his request to take prisoner of war and MIA duties away from Richard Armitage, the Assistant Secretary of Defense. Do you all oppose that?

MR. FITZWATER: I'm not aware of his requests.

Q Mr. Perot asked of you all, I believe, to get rid of -- take those duties away from Mr. Armitage because he suspected that he was not carrying these duties out in the best interests of the country.

MR. FITZWATER: Well, we have a lot of people involved in the POW, MIA situation. As you know --

Q Mr. Armitage has the duty for the Defense Department.

MR. FITZWATER: That's correct. He think he's doing a fine job.

Q Marlin --

MR. FITZWATER: Barry.

Q New subject?

Q Yes.

Q Yes.

Q Yes.

MR. FITZWATER: Thought you'd never get in here.

Q Is the President upset by Stanford's rejection of the Reagan Library?

MR. FITZWATER: The President is comfortable with the decision.

MORE

#2059-04/24

*Statement from White House*

Some months ago I asked Ross Perot to look into the Vietnam POW/MIA issue, get to the bottom of it, and make recommendations to me about what the U. S. should do to resolve it.

After working on this for some time, Ross concluded that I should appoint a senior level negotiator, reporting directly to me, to work with the Vietnamese and Laotian governments to establish an effective working relationship between our nations, and to explore fully and resolve the POW/MIA issue.

After careful consideration and discussion, I have decided to accept this recommendation. In the near future I will choose and announce a Presidential negotiator.

We must fully account for all POW/MIA's in Southeast Asia. I believe my decision to send a senior negotiator to Vietnam and Laos is the most practical and effective way to resolve this issue with finality.

*4/10 New to Colin Powell (for credit)  
to Ross Perot*

*Tell Ross - Messer 1-100,000  
Very good credit  
left to JB  
deal to JB*

Senator DASCHLE. It says: in a DOD sponsored press conference held April 12, 1973, I made the statement that DOD had no specific knowledge indicating that any U.S. personnel were still alive or held prisoner in Southeast Asia. This statement has been the basis for all subsequent answers from DOD to questions concerning the possibility that Americans may still be held prisoner in Southeast Asia.

It was a totally accurate, factual statement at the time that it was made. In light of more recent events, I believe this answer is no longer fully satisfactory.

Do you know what events he was specifically referring to, Mr. Perot?

Mr. PEROT. No sir. I just read it. I'm like you. I've been trying to get it for years. We're back to where we were this morning. Wouldn't it be nice if everybody just put the cards on the table. Then we could go over on the other side, where the productive work could be done and negotiate. Instead, we stay preoccupied back here.

The same people that call me night and day for 20 years, the same people that asked me to send my people back into Tehran, and I did. The same people that were calling me for support for General Dozier, etc, etc, etc.

The same people who rewrote history here back 2 or 3 months ago in terms of leaks to the press, have been boasting last week that I would be taken out by something they were going to give to one of the Republican Senators at the last minute. And I guess I'm looking at it.

Now the fascinating thing is, if you read it all, it confirms everything I've said. If you go through and cherry-pick it, you could have fun with it. If you look at it carefully, you will conclude they were tape recording my conversations, which I am underwhelmed with. The same people who would call me at 3 in the morning asking for \$½ million in Rome in an hour.

The CHAIRMAN. Could you show me that just so I can get up with you here on the taping.

Mr. PEROT. All right. Let's just start right here. Wait a minute. I'm disorganized because I just got to see it for a minute.

The CHAIRMAN. Take your time.

Mr. PEROT. There's a handwritten note here. Let's just go to, memorandum for the files from the Vice President, March 21, 1987. A lot of direct quotes in here. No, that's not the one. The better one is somewhere else.

Oh, yes, let's start with this first one here on top. Typewritten version of Howard Baker, Jr.'s 1987 talking points. You've got the original handwritten document here with no date on it. Then you've got the typewritten document with the date on it.

Then you go way back here into these files and you get a completely different indication of the conversation. Now, I'm going to need—you know, to really be able to answer you as concisely as you would like me, I'll need an hour or two to play around with this. But the point is, what the handwritten notes says doesn't confirm with what this says back here, and whoever put it together didn't have their act together.

All of these inferences that have been coming straight from the White House to the press over the last few months, that they didn't know I was going to Hanoi, that I was acting on my own, that I was disrupting their negotiation, if you read back through this material—they didn't have any negotiations. They couldn't get in the door. They didn't have anything going on.

They had a disagreement in terms of whether I should go or not. I knew that. The National Security Council—some of them didn't want me to go, some of them thought it would be productive, etc, etc, etc. And you look through here, and you see an internal dispute going on, which I was aware of, and it is really fascinating to wade through it. I would say, I hope this is declassified. It would be interesting for the press to have access to all of it.

The CHAIRMAN. This is declassified and it will be released.

Mr. PEROT. Because it tells—if you read the whole thing and analyze it, I think it tells a pretty accurate story. But, now, here's one for you.

The CHAIRMAN. I'm trying to protect Senator Daschle's time here.

Mr. PEROT. I don't want to waste your time, sir. Let me just say this one. It's a three-liner.

We still believe that it's not wise for Ross to go. After 14 years, they have denied live Americans. If we were to produce live people, can you imagine what will be asked for?

I rest my case.

The CHAIRMAN. Let me just say, Mr. Perot, before Senator Daschle, I don't think there's any reason to be defensive about what's in here. The committee offers this as part of effort to reveal everything.

Mr. PEROT. Well, I would like to have a couple of days to go through it, and then in 5 minutes we could have put it in perspective. Right now, it's just a—it's a combination what might have been taped phone conversations transcribed in 40 pages.

The CHAIRMAN. I certainly concur with you, Mr. Perot, that it needs to read in its whole, and we are trying to do that. Senator Daschle.

Senator REID. Would you yield for a second? I think it might be instructive, after people get their general questions asked, to invite Mr. Perot back some other time, at his convenience, after he has had time to go through these in more detail.

The CHAIRMAN. Well, let me just say, Mr. Perot volunteered to come back tomorrow after the others testify if there is a revision of history here. I have told him that he will have the opportunity to come back any time that he sees fit, if allegations are made that are contrary to his memory or to fact. And that invitation remains open to him. Senator Daschle?

Senator DASCHLE. Just to close that point, I guess I am really amazed, and share your frustration, I guess. But I am amazed that given this memo, and the acknowledgement in print by Dr. Shields that he made a mistake in saying what he did publicly, that that information has been under wraps, has been submersed in all of this investigatory effort for the last 20 years.

It is phenomenal to me that we've lived under some myths pertaining to information that we knew existed as early as May 24, 1973.

Mr. PEROT. Did this come from the Defense Department? Do we know where this finally came from? So they had it all along, they just wouldn't give it to us.

Senator DASCHLE. That is correct. It goes to a broader question that I was going to pursue with you, and I'd be interested in your observations. You mentioned, oftentimes, your frustration with leaks and your amazement at how quickly information from burrows of the Defense Department or the Congress are released so accurately and so frequently.

I would be interested in your observations as to why, given the power of this information, given the kinds of reports that we know now to exist, why, given propensity for leaks, there have not been more consequential leaks relating to this information in the last 20 years?

Mr. PEROT. I don't know, sir. It's a good point. Everything else leaks, this doesn't.

Senator DASCHLE. We've had four administrations. One Democrat, three Republicans in 20 years, and I am surprised that more information has not come out.

I know I am out of time, but let me just ask one other question, and that has to do with a statement that you have made frequently, and I understand why you have made it. That is that the Laotian Government has a willingness to trade information, to trade something for something. To trade information for some kind of compensation, perhaps, some kind of remuneration.

Is it your view that the Laotian Government is monolithic, and has the capacity to deal with the United States as a monolithic entity in Laos? In other words, would it not be possible that there are other entities who would be willing to come forth for something less than \$4 billion, and if so, why would they not come forth?

Mr. PEROT. That monolithic, I guess, is relative. Would you say that our Government is monolithic?

Senator DASCHLE. No.

Mr. PEROT. I would agree. So, I don't think that there is any—you know, it's probably—it is quite different from our Government, but it certainly is not a place where one person knows everything, has access to everything, has a booklet on where each person who may be surviving is held, etc, and who could give it to us, who is a Government official.

If it serves the Government's purpose—see, Laos is sort of the golden child in this whole thing. Laos has been pampered since the end of the war. This is something we want to forget. These are things we don't want to talk about.

We don't want to talk about clean rice and dirty rice. We don't want to talk about the Golden Triangle. We don't want to talk about the drugs that may or may not have been moved during this whole process.

I don't want to get into that. I hate to even bring it up, but I'm trying—and the only reason I bring it up is so that you understand why Laos is sort of in a special category. I say, at this point in time we say to Laos, look, friend—and we have treated you as friends.

Here is the overwhelming evidence, most of it from your own people in their own posts, some from our signal intelligence, some from other sources. Here is the picture in 1988. Here is your statement saying you killed them.

We put all this on the table at one time and say, if we are to remain friends, then you must now fully face this issue with us, and then start the negotiation. I don't think money is the issue at this point. We've already bear-hugged Laos ever since the end of the war. With Laos you have one situation, with Vietnam, you have another.

Senator DASCHLE. Well, I have overextended my time. I thank you.

Mr. PEROT. But I suggest to you that the key thing here, and our core problem is summed up right here in this little three-line statement. See, this town focuses on how things look, not how things are. Everybody has been worried to death since this whole issue keeps coming up, is how will it look if they ever come home.

That's not the issue. The issue is, they're our men. They went into combat for us. We left them. We owe it to them to bring them home.

It won't look pretty back here, but we can build a consensus here that it was the right thing to do, and we can build a consensus here that all the mistakes were honest mistakes, and we can build a consensus here that we won't waste a minute looking for scapegoats, and that we will have all of that energy spent on welcoming these men home 20 years, 20 some odd years late.

Senator DASCHLE. I buy that. I buy that rationale completely. I must say, though, because you and I both agree neither the U. S. Government or the Laotian Government is monolithic, our ability to control that spin on all of the information out there and what may or may not have happened is limited to the degree that they have unanimity with regard to suppressing that information.

And we both know, because we have both been subject to leaks, how impossible it is to suppress it for 2 months, much less 20 years. But it has been suppressed here, if we assume that that is the motivation, successfully, and suppressed in Laos.

Or there may be the fact that there just is nothing there. One or the other. Either we have been able to suppress it that successfully on both sides or there is nothing necessarily appropriately suppressed.

Mr. PEROT. Well, you know, the fact is that this has been suppressed for years. The President and the Vice President supposedly asked the Defense Department to give it to me. I was after this hot. Now, it exists, right? It exists.

I suggest that there's only one appropriate course of action at this point, and that is put the right team in place, give that team the authority and responsibility, give them a broad mission, give them the absolute support of the President, the Congress and the American people and go night and day.

You say, but how do we know it will work? I would rather see it tried in a world-class way and fail than to sit here and debate whether or not I could predict in advance it would work. I'm sure we all would.

Senator DASCHLE. Thank you.

The CHAIRMAN. Senator Robb?

Senator ROBB. Thank you, Mr. Chairman. Mr. Perot, to followup on that particular line and to give us some guidance, let me suggest, first of all, that I think that this committee has attempted to fulfill the role that you have just described.

I cannot say that ultimately we will meet with the success that you or we would like to meet with, but we have tried to cut across some of those lines. I think it is fair to say that it is a broadly representative committee, that would not feel bound to make any particular information or try to put a particular spin on any information that would inhibit the production of every bit of information.

I say, particularly about the chairman, and the vice chairman, and the professional staff, they have done a very diligent and thorough job in pursuing whatever information is available.

To assist us in the remaining months of our authorization, I wonder if could start with Laos and ask if you are aware of any specific information, any specific documents, any specific locations that have not been brought either to this committee or to public attention that we should ask for, or should seek, or should followup on?

Is there any information that you are aware of, as with the Shield document, apparently, which you knew about but have not received? Are you aware of anything that relates to Laos or its records—which I must confess to you that some of us who have looked into that situation found meager at best. They simply do not keep very many records, and they were not disposed to do so, unlike the Vietnamese who keep rather extensive and exhaustive records in some cases.

But is there anything that you know of, any piece of this equation that is either in existence, or you have reason to believe exists that has not yet come to the attention of the committee or come within the purview of the jurisdiction of this committee?

Mr. PEROT. I would get, if possible, total cooperation from the executive branch, and get every piece of signal intelligence from Laos, and have NSA and the other agencies that deal with it directed to analyze it, looking for every needle in the haystack regarding information on MIAs in Laos.

Senator ROBB. I appreciate that approach.

Mr. PEROT. Which we don't have yet.

Senator ROBB. In essence, that's the course committee is taking. But the specific question I'm asking is, are you aware of any specific document or any specific source of information with enough precision so that we could say, not give us everything you have, but where is the X document? Is there anything that relates to the situation in Laos or elsewhere?

Mr. PEROT. I would like to see all of the—again, you probably won't like my answer—all of the information around why we had these military forays into Laos in 1981 in that area; why we suddenly started doing this.

Senator ROBB. What information do you think that might elicit for the committee that we do not already have?

Mr. PEROT. Well, you don't send troops in to rescue somebody unless you have a reason to believe they're there, right?

Senator ROBB. Presumably.

Mr. PEROT. Otherwise, it's just a fire drill. I would then suggest that you go to the special units and have them—again, I'm assuming you can get full disclosure—special forces units and have them give you every drill, every exercise, every plan they had for a military rescue in Laos.

And have you go to the Navy SEALs and pin them down—no, not pin them down, but if they have the clearance, give you a full disclosure on the efforts of the Navy SEALs, and specific questions around a Navy SEAL team that may have been involved in an effort of this type.

I want to make it clear. I don't have videotapes of what I'm about to tell you, but it's reoccurring. Considerable indication that a Navy SEAL team, either most were killed or all were killed, and some indication that a few were captured and were put on display to some senior people who visited from other Communist countries. I would try to get full disclosure of that.

I think I've mentioned the Colonel Garrity operation. I'd want full disclosure of why we did that. I think, if you ever get full disclosure, it will lead you back to the 1981 meeting on the \$4 billion offer. Now it jumped out of Laos and jumped back to Vietnam, but the point is these are things—they were being kept in Laos. That's the theory.

Check those things out. See if they're smoke or mirrors, see if they're real. I know the Garrity thing is real. I would—I'm back to pictures, signal intelligence, things like that that people seem to be very interested in. I doubt that if there's any chance at all that you've been exposed to all of that.

B-52 pictures. The walking K picture in 1988. I mean, these are things that I've seen, so God knows what else is there.

The CHAIRMAN. The record should show that a number of the concerns you have just raised are very legitimate concerns of the committee. We are about two people away from completing an analysis of one of the them, and the committee is very interested in it. There were these events. They did take place. Real people have talked to us about them, and it is an analysis of important.

Senator ROBB. Thank you, Mr. Chairman. I was going to make essentially the same point, that a significant amount of information is available on some of the things that you alluded to.

But if I may, and I do not want to be unduly repetitious, but the committee has cast a very wide net with regard to any potential source or sources of information possible, and have tried to bring, at least within the purview of some of the special professional people that we have, the opportunity to review anything that relates in any shape or form.

I am now asking, however, if there is anything that we should use instead of the shotgun, the rifle.

Mr. PEROT. Let's grant everybody immunity that might have been in the 1981 meeting with the Canadians, and ask for everything about that meeting. Is that a rifle?

Senator ROBB. It is closer to what I am looking for, in other words—

Mr. PEROT. You don't have anything on that meeting now, is that correct?

The CHAIRMAN. No, we do. We have deposed Richard Allen.

Mr. PEROT. No, excuse me, you don't have—one thing about these folks, they keep a lot of notes.

The CHAIRMAN. Are you talking about the Canadian side of it or our side?

Mr. PEROT. I would say start with our side, because I'm sure there's all kinds of notes, like this thing I was handed just before lunch. Get access to it. I'm amazed at what people write down, frankly. And if you can ever get it, then you've got something to look at.

And if you're really bored, go the Reagan Library, because I never cease to be amazed at what floats out there loose.

Senator ROBB. Let me ask the question—

Mr. PEROT. And if you can't find it, call the Republican Opposition Research Group, because they know how to get into the system. [Laughter.]

Senator ROBB. We are going to attempt to maintain the bipartisan flavor of the committee.

Mr. PEROT. I'm just telling you how to get the job done, Senator. I'm not trying to be partisan.

Senator ROBB. With respect to sources, you are being more precise than perhaps you have been on other questions, and I appreciate that. Let me ask another question of the same nature.

Again, it is in the hopes that you can assist us in doing as thorough a job as possible, and that would be to focus on any individuals. Are you aware of any particular case that relates to a specific POW or someone whose case has not been satisfactorily resolved in terms of the information that is available that either we do not already know, or do not have access to?

Or, if we could find out what happened to this individual based on knowledge that you have that we might not have that we could get, given the subpoena power of the committee, is there any person that you know of that falls into that category?

Let me just complete it and say, one of the concerns of the committee, obviously, was to examine the question of whether there might be any remaining Americans being held against their will in any of the countries that you have referred to.

Do you have any information about a specific individual who, in your judgment, does fall into that category, or might fall into that category, or who at one point did clearly fall into that category and whose current fate is unknown?

Mr. PEROT. Well there's a Marine pilot. I'm embarrassed, I can't remember his name, because I've met his whole family. I've got a file on him. We got a fingerprint on him which I thought—an alleged fingerprint on him which I thought, well, this is great because it either will or won't match.

Then I asked the people around the Defense Department, I said, what are the odds that we will have the fingerprint of a Marine pilot flying into combat? They said Perot, we will have the fingerprint. It's a million-to-one that we wouldn't have it. I said, OK, let's get the fingerprint.

Well, the fingerprint didn't exist. So then I went to the commandant of the Marine Corps and said, I can't believe you don't have fingerprints on a guy flying combat mission. He couldn't believe it either. He and his aid, number two man in the Marine Corps, an-

other general, dug into it and came back in a few days and said, we don't have it.

Then I went to the FBI and said surely there is some way to do this. And the FBI then explained to me that there might not be. Then I went to his family, very carefully, and asked them if there was any chance that they might have had a fingerprint like from when he got his drivers license as a young man or what have you. We swept the State, and what have you, and couldn't find a fingerprint.

I think there's a distinct possibility that this man was flying CIA missions over Laos. If he was, his file may be in the CIA and not in the Pentagon. If they wouldn't give me the Roger Shields memo, which is pretty innocuous compared to the fingerprint, I guess I shouldn't be too surprised that I never could get the fingerprint. It would be nice to get that fingerprint. Now, I can give you his name, and I will call your office and give you his name.

There's another odd one. Again, I'm working from memory, see. And the last time I was buried in this was 1986. Everybody kept popping up a CIA agent named Jerry Daniels, I believe is his name, who was in Bangkok, who allegedly was buried in trying to get people out of Laos, and who was killed in his apartment. And who, according to all the stories I've been told, is now buried on the ranch that we gave to Vang Pao or helped him acquire when we brought him to this country.

Vang Pao was a Pathet Lao leader of choice that we created over there. And I would say that I would really suggest that if you can get this information—I tried and was assured that there was nothing there, and couldn't get anything—I would think that, if I were doing it, I would at least do a quick sweep on Jerry Daniels to find out, and I can get you more detail on him, more detail on his dad, etc, etc, etc.

The last time—this is all from memory. His mother was living somewhere in the area there, never approached her, but to make a long story short this just kind of floated around like—see, the interesting thing. A lot of things that floated around have come true or near true, like the 1981 \$4 billion deal is looking more and more and more plausible.

Jerry Daniels may or may not be plausible. I'd check that, now. On specific cases, I'll be glad to go back and dig through my files. If come up with anything like that that I feel that—I would use the test that I would spend time looking for it. I'll pass it on to you and you can use your judgment.

Senator ROBB. Thank you. That would be very helpful. May I just ask one final question? You have already made reference to the kinds of intelligence that we have. We have a certain amount of signal intelligence. We have a certain amount of human intelligence.

We have a certain amount of imagery that we have attempted to examine to the extent possible, and to the extent of our ability to make some sense out of the voluminous information, as you indicated earlier, which has not all been thoroughly analyzed because there is so much of it.

With all of that information available to us, do you have any suggestion as to why we have not been able to come up to date,

either through any of the regular sources or for this committee, for that matter, with any precise information with respect to any specific individuals.

Again, that is the frustration we have is dealing with lots and lots of generalities. And we appreciate the role that you have played, and the symbolism you bring to it, and the commitment that you have, but in order to accomplish our mission, we need to find—somehow to identify with something more with concepts, i.e. names or the kind of specificity that will give us the ability to follow up.

Do you have any sense of why, with all of that information, we do not have more to date with respect to the kind of specific closure on cases that would put many families at rest and would give more confidence to the many people who are concerned about the fact that these cases remain unresolved?

Mr. PEROT. Well, you'd be better to ask the DIA that question, the people who have been running these cases all these years. You've read the Gaines reports, the Brooks reports, the Tighe report, the tight filters, the mind-set to debunk, and so on and so forth.

That, again—see, I would not spend a lot of time in this area. If I were calling the shots, I'd spend all my time working with people on whoever may be left alive. I would urge that we put somebody with a broad mission over there, somebody with a broad mission in Russia, and that we, as I say, just say let's work on it and let's build a consensus here in this country that we're not going to keep people paranoid about it back here. But there's only one mission, and that's to get them home.

I think if we tried to get the name, address, and telephone number of somebody held in a remote village in Laos, as a reason before we do anything, we probably never will get him.

The CHAIRMAN. Senator Kassebaum.

Senator KASSEBAUM. Thank you, Mr. Chairman. Mr. Perot, I would like ask, you believe that there are still Americans there, and that is a given. Do you believe they are still held in captivity, or are they just those left behind?

Mr. PEROT. I think we have people held in captivity. I think we have some people who were captured in remote villages who have been assimilated into the villages. As I said earlier, I think you'll have people that have Laotian families come out of there.

And they are not turncoats. These are people who probably spent 10 years in a cage, realized their country had left them, and decided that they could have at least a shred of a life outside the cage if they were allowed to go out in the village and do productive work, and assimilate into the society.

Senator KASSEBAUM. But do you believe that there are some who would be held in captivity today?

Mr. PEROT. Yes.

Senator KASSEBAUM. Based on any substantial evidence?

Mr. PEROT. I don't have any videotapes, no.

Senator KASSEBAUM. Did you mean to imply in your comments earlier that you think that there may still be some live Americans being held in Russia?

Mr. PEROT. Yes. If you—let's just take the evidence. There is a, oh, a journalist that spent a great deal of time accumulating evidence at the end of World War II. I believe his name is Bill Paul. A number of his stories appeared in the Wall Street Journal. This is Americans captured at the end of World War II by the Russians and held.

Then, take General Mark Clark's testimony about several thousand Americans left behind in Korea. Then, just take the Russians' own testimony, commentary, plus the signal intelligence that we have about Americans being flown from Vietnam to Russia, and you have the pattern.

Senator KASSEBAUM. Well, I realize you said that earlier, but what I am asking is, do you believe they are still there today? Do you still believe there are some in Korea today?

Mr. PEROT. Well, let's assume—you take 10 people 20 years ago. Then the question is, do you still have them? The burden is on you. What did you do with the 20 people? Russia took X people. Russia, what did you do with those people? Laos kept X people. What did you do with those people?

See, what it seems to me is there's a mindset in this country that you want to see 60 Minutes film these guys live walking around somewhere, and then say well, gee, now maybe we ought to go talk to the Laotians about doing it.

If you look at how big Russia is, if you look at where their prison camps are, if you look at how remote they are, if you just take the challenge I mentioned earlier today of trying to find a specific person in one square block, if I'm allowed to move them around, you realize you're not going to get it done by saying, we're going to sit here, do nothing, pontificate, and wait for proof.

We have got to send people over, work night and day, and put them under tremendous pressure. Russia needs a lot of things from us. We're in a position now to talk turkey to Russia. Russia understands. Believe me, Russia understands that they could build a tremendous amount of good will in this country.

Senator KASSEBAUM. And as you know, they have said—and their records are being opened totally to us. And they have said that they would provide all the assistance that they could to us in this.

Mr. PEROT. I'm not interested in their records. Just pull the people together.

Senator KASSEBAUM. Well, it does take some records, too. I think we have to look at that to see what, indeed, they may reflect.

Mr. PEROT. Well, could I suggest that we say, fellows, why don't you just first do the best you can, and then pull your records while you're bringing everybody out that's still alive. We'll pick them up the minute we can. Then, we will do a clean sweep at the end by going through every record, accounting for every grave, accounting for every single individual.

I think at this point in Russia's history, certainly Mr. Yeltsin could gain tremendous support in this country by releasing the remains or the living Americans that are still held over there.

Senator KASSEBAUM. Between 1973 and, say, maybe even before that and 1985, you evidently did not do anything in an active way regarding the prisoners of war in Southeast Asia. Is that correct?

Mr. PEROT. I just responded when people asked for help. I did a lot of things for the families. If my Government asked me to do anything, I responded.

Senator KASSEBAUM. But you have never been a person that has impressed me as being someone who necessarily just waits until you are asked. But you have been very aggressive, you have cared a great deal, I wonder why, in a way, you put it somewhat on a back burner at that period of time, both through the Ford and the Carter administration when, perhaps we should have still be aggressively pushing.

Mr. PEROT. Well, why didn't you?

Senator KASSEBAUM. Well, I was in Wichita, Kansas, and I must confess I did not know nearly as much about it as you do.

Mr. PEROT. Well, I was in Dallas, Texas. I did not put it on the back burner. Any time a family has called me, night or day, check with the families. Any time my Government has ever called me, night or day, I responded.

Now, all of the people who are involved with this on a full-time basis who have lived in Asia, and so on, and so forth, some of whom you referred to as hoaxers, and I've said I don't know who's a hoaxer and who's not, I would always patiently listen to their calls; did not respond when they wanted to do anything that was aggressive, I would just listen.

And anytime anything ever came up that seemed to me that might be worthwhile, I would contact the Government and say, is this anything we should look into or not. And so, you might just say it was a slow period with our Government.

Senator KASSEBAUM. Well, I guess that I might make the suggestion that perhaps President Bush ought to appoint you chief negotiator right away.

Mr. PEROT. I don't think he will.

Senator KASSEBAUM. Well—

Mr. PEROT. You have to remember this is, you know, it's the same man that called me a monster 2 months ago. So you wouldn't send a monster to Southeast Asia, would you?

Senator KASSEBAUM. I'm suggesting that in all seriousness, because obviously you still believe there is much that can be done, and I would think that and would welcome those who would want to take part in as active a way as you do. Thank you.

Mr. PEROT. I want you to read this before you go much further in terms of, you know, everybody writes down their own views here on this stuff that's taking place right around my Hanoi trip. So, you've got all the turf problems, all the power problems, everybody who, you know, feels threatened, etc, etc. And it shows you, if you really want to understand why more doesn't go on—there's inter-mural sports going on here on the inside as opposed to focusing on getting our men home.

Senator KASSEBAUM. Well, I think we can find that almost anywhere we look. It can be right here in the U.S. Senate as well.

Mr. PEROT. Yes, but not where human lives are concerned, that's the point.

Senator KASSEBAUM. That is not the point. No, it really is not, because I think for those who care enough they rise above that and go ahead and make the case.

Mr. PEROT. Again, I have responded again, and again, and again, and again. Now let's see, 1991. This is after all of the junk that I had to wade through. Only in America would you have spent the years I have on this issue, the dollars I have, placed my family's life at risk, and then be asked by you why I didn't do more.

Senator KASSEBAUM. No, Mr. Perot, I was not asking that. It just—

Mr. PEROT. OK, well fine. But it sounded like that to me. You know, I wish I could have done more.

Senator KASSEBAUM. There was a period of time there where, after your involvement, and perhaps it was just because you weren't asked, and it may have been that those administrations were not doing what they should have done, but you obviously have had a keen interest.

Mr. PEROT. Yes.

Senator KASSEBAUM. And I personally think that everyone should take advantage of the interest, and the dedication, and the knowledge that you have.

Mr. PEROT. I'm finally at the point when I'm called by these folks over there—they call me from time to time, want me to drop everything, send people to the other end of the world. My opening words—and it's to the point where they laugh about it—I say, is this something you all want to talk about, or do you want to do it?

I'm not willing to be used any more. There's a term in the horse business, used hard and put up wet. I've been used hard and put up wet again, and again, and again for good causes. And I'm happy to be used hard and put up wet.

But I guarantee you on this one, if they want me to get into it again, we've got to have a clear understanding that we're going to do it and not just create a mirage here, and not have guys in here writing memos about, how will it look.

It won't look pretty. It never looks pretty when you're getting something done. You know, they say about sausage, you don't want to be around when it's made, right? But if you're going to get something done, you've got to quit worrying about how it looks and do it.

Senator KASSEBAUM. With that, we certainly do agree. Thank you.

Senator SMITH [presiding]. Just a parliamentary point before I recognize Senator Kerrey. We are about 5 minutes into a vote. We are going to keep going. Senator Kerry has already gone over to vote, and he will be coming back. So we are going to keep going, if that is OK with the witness. Senator Kerrey?

Senator KERREY. Now that we have got you in a good mood, Mr. Perot, it is time for my questioning. [Laughter.]

Senator KERREY. First of all, let me do some separation. It seems to me this committee is charged with the responsibility of looking in two directions. One, looking back, trying to figure out what happened and narrow the cases, trying to get more precise with the information, and in that regard it seems to me that we have managed to both get more information that gives us more comfort, and get more information that makes us more uncomfortable.

I mean, this whole last barrage of stuff that has been released is good news. We are finally getting information released and into the

public arena. But in many ways it increases the problems of the committee. And I understand that you have received a bit lately as well.

But I assure you, the problem of looking back at this thing is an important one, and we are trying in good faith to examine it without suggesting that anybody is unpatriotic, or anybody is not doing all they could for their country.

The more difficult problem for me, that I would like to begin with, is the problem of looking forward, which is how do we bring our men home?

Mr. PEROT. Right.

Senator KERREY. Let us assume that there is one, which I think this entire committee has to assume that there is. Let us assume that we have got one person over there. What do we do?

Do you think, Mr. Perot, that in order to do that that the United States should consider lifting the Trading With the Enemy Act restrictions, should begin low-level contact in a diplomatic way, should consider some extraordinary diplomatic action of that kind in order to change in environment between the United States and Vietnam?

Mr. PEROT. You don't give the other side what he wants in a negotiation unless you're going to get what you want. So, don't do something as a giant bold move like that. This is my suggestion.

I would listen, first, if I'm going to negotiate with you. The wisest thing I could do is have a long visit with you where I listened and I understand what you want.

Senator KERREY. Your answer is no, you do not think we should do—

Mr. PEROT. I would not do a bold move and hope that they would reciprocate. They now have what they want. Why should they do anything? That's Laos. They have what they want. Why do anything? What we basically need to do is say, gentlemen, our country can no longer tolerate this. We want to build a friendship with you.

Laos, we have a friendship with you. Russia, we have a friendship with you we are trying to build. Russian, you are over here every day asking for help. I've got now three balls in the air. And we'll probably have three different solutions because they're three different cultures. The worst mistake we can make is assume that they will react as we would in a negotiation.

They are Asian. They are very, very, very different. And we have to listen to them, understand them, find out what they want, work out a plan with them. And then I think the chances are excellent that we can do it, because they really need our help.

Senator KERREY. So, let me get it clear. You are saying, as far as the Trading With the Enemy Act, restrictions keep them in place?

Mr. PEROT. I can't hear you.

Senator KERREY. As far as the Trading With the Enemy Act, restrictions that are currently in place, there has been some discussion about lifting those. You would recommend leaving them in place at this point, subject to getting a satisfactory negotiation for all information or release of our people?

Mr. PEROT. Sir, I would suggest that we have a series of meetings and listen. Make it clear in those meetings that we have come to

finally resolve these problems. Listen, listen, listen. And then develop the strategy.

If we develop a strategy in public here today, they know it before we go over there. And as good negotiators on their side, we'll be at a disadvantage.

Senator KERREY. OK. But you are essentially saying, no, then? Or you are saying that we should have some meetings?

Mr. PEROT. I would say, I wouldn't tell them here on television in the country and have them watch it on Cable News tonight. I would go over and listen to them. I would listen.

Now, a good person in a negotiation will always take an extreme position. They will take an extreme position. We need to listen. But you need to always remember, they need us more than we need them.

Now, what we have done for some 20-some odd years is treat them rudely, treat them with disrespect, punch them around, etc, etc, etc.

Senator KERREY. You are talking about the Government now, not the people?

Mr. PEROT. Our Government and Vietnam, and it has not produced the desired result. I suggest that if you even listen to them for an hour, or if you read the portion of the letter to the President, where I explain what their sensitivities are, you will start to see, at least back at that point in time, the beginnings of a negotiating strategy, but not a negotiating strategy yet. But you'll see the beginnings.

You would realize that sending low-level bureaucrats—middle-level Government employees from the National Security Council in to punch them around only infuriated them. Now, if you sent a senior-level person, like General Vessey, who, they considered a peer, and he did something like that, that would not offend them as much as these junior people.

Now, of course, General Vessey wouldn't do that. But we have all of this scar tissue from what has been done improperly, and you need to have a senior-level person with a broad mission. Not a senior-level person whose only mission in life is to try to get the POW/MIAs out. A senior-level person whose mission is to try to resolve this whole problem, including diplomatic relations.

Senator KERREY. All I am trying to do, sir, is to suggest that we have got a paradox here of trying to get into a negotiating position without being in a position to actually negotiate. That is the paradox. And we are dealing with a Government, Vietnam, that lies to its own people. Why should I believe that they are not going to lie to me?

We are dealing with a Communist Government that has, for the past 17 years, lied to its own people. So why should I reach the startling conclusion that somehow they are going to tell me the truth? It seems to me that we are in a position—and by the way, for all the abuse that we have given them, they have taken a few actions in the last 17 years, I think, that would justify some harsh treatment of them in return.

I have just been notified that I can vote and come back and ask so more questions. Is that possible?

The CHAIRMAN [presiding]: Yes. I do not want you to get squeezed here, so if you want to go vote, we will hold some time until you return.

Senator KERREY. I will be right back.

The CHAIRMAN. Mr. Perot, let me just tell you that with respect to the Richard Allen meeting that you have alleged to a number of times, which you indicate there is a significant amount of substance to or something, the committee has not yet drawn that conclusion. We have been reading in the newspaper, as you have, and I guess some people like to try this issue, or not try it, that is the wrong word, but make the judgment of the evidence on the basis of, sort of, partial leaks to the press. You are very familiar with this.

I want to make it clear that we have deposed Mr. Deaver. We have deposed Mr. Allen. We will be deposing Mr. Ed Meese shortly. We have, as you have stated, a Secret Service agent that is out there available to be deposed at some point in time. And there are three people who have not yet been deposed, which are the only group of people that we can place at this meeting.

Now, I know that some people—

Mr. PEROT. Now, the other three—who are the other three, Senator?

The CHAIRMAN. The other three are President Reagan, President Bush and Secretary Baker.

Mr. PEROT. Yes. The Secretary of State.

The CHAIRMAN. Secretary of State Baker.

Mr. PEROT. This is in 1981?

The CHAIRMAN. Yes, James Baker.

Mr. PEROT. And in 1981?

The CHAIRMAN. He was chief of staff at the time to Ronald Reagan.

Mr. PEROT. Chief of staff, right. OK. Right. I understand. I got my time schedule.

The CHAIRMAN. Beyond that, if anybody has any evidence that the committee can glean that others might have been at this meeting, that would be helpful.

Mr. PEROT. Can I ask a question? As a private citizen, you guys descend on me one afternoon, demanded I go through my files. I have just gotten back in town, produced all my records for the first time I get hit with it, have to have them the next morning, stayed up late that night doing it. Then, the next day was tied up all day giving a deposition. Why are Government employees different?

I mean, why can't you get—if these three folks—why can't—look, human lives are involved here.

The CHAIRMAN. Let me just say to you, Mr. Perot.

Mr. PEROT. They are involved here. Why don't these three—why don't you just say, fellows, come on over and tell us what you know?

The CHAIRMAN. Before you pop a gasket on this one, let me just tell you absolutely clearly, no one is going to be treated differently here. This committee has issued subpoenas. We will continue to subpoena anybody who does not come forward voluntarily. And all of these members of the current Government, as well as former, are being deposed.

Mr. PEROT. Now, you're a former prosecutor.

The CHAIRMAN. President Nixon is available to be—he is going to be deposed. And we are scheduling them as rapidly as we can. But we are doing it in an orderly process. And we are beginning with, in a sense, the people in the lower positions and working up the chain of command, so to speak. And it has proved to be an interesting process and I think a fruitful one.

Did you want to add something?

Mr. PEROT. Yes, sir. I just find it interesting that as a taxpayer I come up here at my own expense voluntarily. And as a Government employee, apparently you have to depose people.

The CHAIRMAN. No, sir. We deposed you, Mr. Perot. We are deposing—

Mr. PEROT. Excuse me, excuse me, subpoena. Subpoena. I used the wrong word. You have to subpoena these people—

The CHAIRMAN. No, we have not had to—let me just say to you, not one Government official has so far required a subpoena.

Mr. PEROT. All right, sir.

The CHAIRMAN. They have come up voluntarily. So I think it is important to keep this in its perspective. We are proceeding to the best of our ability, I think, methodically and we are, as you can tell, from the evidence that is coming out. Incidentally, some of which supports the contentions you have made.

If we were going to, sort of, assess where we are today, we have evidence before this committee that people were not accounted for. The Government has acknowledged now that people were unaccounted for. We have a number of Government employees who have acknowledged under oath that they believe there was evidence that some people were alive in 1973 and unaccounted for.

The committee has evidence that people were held prisoner, were last known to be alive in captivity in 1973 and unaccounted for. Now, that is a new body of evidence that has never been in front of a congressional committee and never been out in public. So that sustains part of what you have said.

Moreover, we have evidence that there were incursions, as you have said, in the 1980's, in an effort to try to get people. We are examining those. Indeed, we are very interested by precisely what knowledge existed to permit people to make the judgment to do that. And we will assess it as we go along here.

So, in point of fact, Mr. Perot, there is evidence that supports some of the conclusions that you have drawn. What is of interest to the committee and, indeed, what is vital to the committee is to understand on what basis you drew that evidence, you drew those conclusions. It is obviously not possible for you to have used the Eagleburger memo, which you only learned of today, to draw the conclusion in the 1980's. It is not possible to have used some of the other evidence that has just surfaced.

So, in 1987, when you wrote the memo, the question is, and this is why this is so important for the committee, what did you then know yourself what was the evidence? And the reason we ask that question is not to put you in some defensive test, but to understand how each person who came to conclusions got there. And that is why we want to know it.

Now, for the purposes today—

Mr. PEROT. Do you think you know it now?

The CHAIRMAN. I beg your pardon?

Mr. PEROT. It's in the memo itself why I drew that conclusion.

The CHAIRMAN. I understand you drew it on the basis of live-sighting reports. You drew it on the basis of the—

Mr. PEROT. May I state my own—

The CHAIRMAN. I just want to make sure I understand it. May I? Is that correct? On live-sighting reports. On the basis of the Laos visit. And on the basis of the Sig [signal] intelligence that you had seen previously. Is there anything in addition to that?

Mr. PEROT. All right, sir. It's right in the President's letter, and it goes back to the briefing at the embassy. It goes back to Soth Pethrasy's comments. And then that's the core right there. I have known about General Walters' testimony since whenever it occurred, the mid-70's I believe, 1976.

And so all of those pieces have been there, and that was the basis that I used in my letter, and it's clearly stated in the letter.

The CHAIRMAN. Fair enough.

Mr. PEROT. And it's not some philosophical moonbeam conjecture on my part.

The CHAIRMAN. In the letter you say—this is the letter to the President of the United States, dated April 8, 1987, paragraph one, "We left POWs behind at the end of the war in Vietnam. We knew we were leaving them behind. The men left behind were held in Laos."

You specifically exempt Vietnam. I take it you did not believe and did not have evidence that anyone was held in Vietnam?

Correct?

Mr. PEROT. No.

The CHAIRMAN. That is not correct?

Mr. PEROT. No.

The CHAIRMAN. Well, it does not state Vietnam. It says the men were held in Laos.

Mr. PEROT. My purpose here was to present a black-and-white, simple, irrefutable statement that we left men behind. Once you go from Laos to Vietnam it turns gray.

The CHAIRMAN. What, it turns gray?

Mr. PEROT. It turns gray.

If you recall our first meeting, when I said the minute you get into this, the minute you hit the intelligence community, they'll try to get you to focus on Vietnam. Keep it simple. Stay with Laos. And watch them go silent on you.

The CHAIRMAN. OK. Turn to Vietnam for a moment.

Mr. PEROT. So that's the reason. Excuse me just a minute.

The CHAIRMAN. Certainly.

Mr. PEROT. I am writing to President Reagan. I wanted to make sure he understood it. I wanted to make sure that he had it fixed in his mind that we had left—we had done nothing in Laos. That's the reason I focused on Laos. And it keeps going here.

I've got the CIA thing here. I've got the end of the war, when the Pathet Lao boasted about holding the prisoners. I've got the Paris negotiations.

The CHAIRMAN. OK. Did you at that time, Mr. Perot—and I accept what you said about Laos, and we will come back to Laos—

did you have any specific evidence with respect to a POW or POWs in Vietnam at that time?

Mr. PEROT. I don't have any videotapes, no, sir.

The CHAIRMAN. Not—

Mr. PEROT. What do you want as specific evidence, Senator? I've been asked this a hundred times today. Do you want—what would you consider specific evidence?

The CHAIRMAN. A credible live-sighting report that was in the hands of DIA at the time that they deemed—

Mr. PEROT. Oh, sure, they are there. You've got your percentages there. They're there.

The CHAIRMAN. But I'm trying to get at what your judgment was made on.

Mr. PEROT. Yes, I don't have the names and longitude and latitudes in my head at this point.

The CHAIRMAN. OK. Now let us assume, let us go to the next step. Let us accept that. We are in 1992. We do not have a longitude and a latitude. We do not even have a name. We have a presumption, a possibility, in some cases some evidence, dating back 20 years. You have again and again said that you have got to sit down with these folks. You cannot find them. You have got to negotiate them out. Correct?

Mr. PEROT. Yes.

The CHAIRMAN. Now, I still want to get at this, and I am not trying to be tricky or anything. I truly do not see how you get out of a circular argument here. We have gone to the Laos. We have gone to the Vietnamese. They say, we do not have them. You say, I believe you do have them. So you say to them, where are they? They say to you, we do not have them. You say, well, I am willing to negotiate. We will pay money. We will set up whatever. They say, we do not have them. You say, I believe you have them.

Mr. PEROT. I would not have said any of this.

The CHAIRMAN. Well, where does it end? Show me exactly how this negotiation produces somebody 20 years after the fact, when they deny that these people exist.

Mr. PEROT. They need us very badly in Vietnam.

The CHAIRMAN. I accept that.

Mr. PEROT. They need to be accepted in the world community very badly in Vietnam.

The CHAIRMAN. They have stated that.

Mr. PEROT. Their preoccupation is, why do we think you want these people after you declared them dead? That's right in my addendum to my letter to the President.

The CHAIRMAN. I understand. But they have gotten beyond that. I have had conversations with them and others have. You can get beyond that. When you sit there with them and say, what does it take to get somebody out, they say to you, we do not have somebody.

Mr. PEROT. I wouldn't—again, and I would say again, having listened to them, I wouldn't approach it that way. I would just sit here, listen to them. Let them talk about the fact that we have treated them rudely. We have treated them as though we won the war. We don't treat them with dignity and respect.

Then you get an hour lecture on the fact that they can't do more on our people because they have over 100,000 MIAs, and their people get very angry when we work at the village level trying to get something done. Just let all that come out and listen, listen, listen. Then you'll see patterns.

Then you'll understand what's important to these people. Then you start working with those things. They have tremendous medical needs.

The CHAIRMAN. Mr. Perot, I understand what is important to them.

Mr. PEROT. They have tremendous educational needs.

The CHAIRMAN. I have had hours of conversations with them, as have you. General Vessey has had hours of conversations with them. Ken Quinn has had hours of conversation with them. Richard Solomon has hours of conversation with them. People have sat there, and we understand what they want.

They want recognition. They want the embargo lifted. They want to be part of the world community. They would love it if we paid them some of the money that was promised by Richard Nixon. There is a list. But our policy is not to do those things, because we want the accounting for the POWs.

Now, how do you get beyond that? Where is the starter here?

Mr. PEROT. I think the one common factor in what you said is it is just about time somebody gets up the learning curve, then his tour is over and somebody else comes in and gets up the learning curve.

The CHAIRMAN. But this can go on forever.

Mr. PEROT. Well, that's why I suggested earlier that you put the right teams in place in these countries. Give them the total support of the Congress and the White House.

The CHAIRMAN. What is wrong with General Vessey?

Mr. PEROT. General Vessey has a narrow mission. General Vessey has only been there five times.

The CHAIRMAN. What should he be empowered to do, to normalize?

Mr. PEROT. No, no, no.

The CHAIRMAN. Should he be empowered to lift the embargo?

Mr. PEROT. He should at least be able to show them that he is a man of tremendous influence in this country who can, if they need some medical help, produce it like that. If they need some help in education, produce it like that.

The CHAIRMAN. So we should deal with them? We should help them?

Mr. PEROT. But I'm in little minor areas. Let me give you an example. Back when the war was going on and our prisoners were still in Hanoi and Laos and wherever else they were, at one point they showed up and said, we would like to negotiate the release of very ill prisoners for medical equipment. And this is during the war. I went to the White House. I said, what do you think about this? They looked at the medical equipment and said, Ross, this is fail safe. Fail safe. They can't even keep it working. And if they can keep it working, there's no way you can turn it into anything that will hurt our people.

So then we proceeded forward. We worked on it. And right in the middle of that, we mined Haiphong Harbor and they broke it off. So I'm saying, if during the war we could have that kind of a conversation, surely 20 years after the war we could consider minor little things that would mean a great deal to them.

The CHAIRMAN. Well, let me just say to you, Mr. Perot, I do not disagree with you. But, as you know, the POW/MIA activist community and others in the country do not think there should be anything at all until they have given you the full accounting. Now, you are contradicting that today.

Mr. PEROT. Let me talk to them.

The CHAIRMAN. You are saying we should have a different approach, correct?

Mr. PEROT. I am just saying I think I can take the most vigorous MIA activists in the country, who I am certain has one mission in mind—that's to get his friends home and his family members home—and convince them that a series of small gestures to build faith and confidence between the countries, to build the stature of the negotiator to show them that this is a person of tremendous influence in this country, who can snap his fingers and have an economic team over there visiting with them about—

The CHAIRMAN. I like this approach, incidentally. I think this makes a lot of sense.

Mr. PEROT. Now, then, suddenly, they look on this—see, one of the interesting things the Communists could never come to grips that one person in the United States was free to charter an airplane. See. They just—any time I would visit with them they—in their culture, they just couldn't believe that one private citizen—

The CHAIRMAN. Could do this.

Mr. PEROT. Could do that. And it was beyond their scope as a Communist and what have you, which I understood. But, then they will still look on—keep in mind, Russia can't support these people any longer. Russian can't prop them up.

The CHAIRMAN. Well, they need help. They admit that.

Mr. PEROT. Camranh Bay, sitting there, right?

The CHAIRMAN. In your testimony, you say that you thought that in 3 months of this kind of negotiation you could clear this issue up. Is that correct?

Mr. PEROT. It would go a long way down the road to find out whether you could or not.

The CHAIRMAN. So, what happens if you were empowered? Let us say that President Bush empowered you to go over there and take some of these little steps in the next 3 months, and you say to them, come clean. And at the end of the 3 months—

Senator KERREY. Mr. Chairman, make it President Clinton, a more acceptable hypothetical. [Laughter.]

Mr. PEROT. Well, I want to do this immediately.

The CHAIRMAN. Yes, I understand. And we cannot do that until January.

Mr. PEROT. No, no, no, I understand.

The CHAIRMAN. So, I am just dealing with the constitutional limitations.

Senator McCAIN. You were not displaying your bias there, either?

The CHAIRMAN. Since we are not monolithic we are proceeding. Now, let's assume that he gave you that power. You go over in the next 3 months and you are able to engage in these efforts. At the end of the 3 months they say to you, you know, this has been a terrific relationship and you have been able to travel all over the country, but we just do not have anybody to give you. And you have been able to see that there is no real change. Is there an end to the process? Or does it then become, well, you have not given us the people that we know you have, even though we cannot prove you have them?

Mr. PEROT. I would say that at the end of 3 months you have a very keen sense. Everything I have ever done in my life I had an idea planted in my head when I started. It changes wildly from day to day based on actual experience. And I think that is true of most of us. But I think in 3 months of very intense work you would have a good sense of whether or not this would work.

Now, as I said this morning, I would urge—and I am not—you know, let's not make it personal. Let's pick a qualified person that Congress and the President are very comfortable with, and there are many wonderful people in this country that could do it. And have that person go night and day. And at the end of 3 months, that person would either have made significant progress, which I think he would have, or he could come back and he would have broken the code, or she would have broken the code, on how you do it.

We would say, what we thought would work won't work, but this could work. But you have been there and you have seen it, felt it, tasted it, lived with it. And I would not spend a minute running around the country looking for MIAs. I would spend all the time finding out, how do we heal the wound.

The CHAIRMAN. I think there is some merit in what you are saying. I am confident that President Bush would be very interested in sending you over there for 3 months and telling you not to come back until you have resolved it. [Laughter.]

Mr. PEROT. Now, just so your committee knows this, there are addendum to my letter. One is comments on the meeting. It starts off: "The Vietnamese repeatedly emphasized their belief that our country is good and the people of the United States are good." Then it goes all the way through, and this is basically—they say, you are always asking us to do things for you and you are unwilling to do anything for us.

See, this—now, again, this is just the beginning of talk and negotiation. But, the point is, it helps you—the Indians had a statement, you know, walk a mile in the other man's moccasins. We need to spend enough time understanding what their issues are to help resolve this.

The CHAIRMAN. I think your point, incidentally, is a very interesting one. I do not take it lightly at all. I think that we have been miserable in our negotiating approach, almost nonexistent in many regards. Not all colleagues might share that view, but I think that we have given this very little opportunity to really get to the bottom of it. And if it is indeed a matter of urgency to bring anybody home alive who might be there, in many ways, our current posture merely prolongs the agony, I believe.

Senator Kerrey has an additional 5 minutes from his previous questioning period.

Senator KERREY. Well, first of all, Mr. Chairman, the way I hear the discussion going as I come back into the room it pretty well continued the line of questioning that I had started as far as where do we go from here. I must say, Mr. Perot, in spite of some anger that you might feel toward the Federal Government in this regard, I would say that it is apt to be that however we resolve this, and it is my deep desire to resolve the agony that we have, that you are going to get called on by somebody to be play a role. Because you do have the capacity to communicate, not only to Americans, but to Vietnamese as well.

You may say no, but you unquestionably have the experience and the commitment to play a role.

We regrettably have got to examine the past as well. And one of the most difficult moments for me is that period from 1973 to 1975, when we went from having a peace accord to the fall of Saigon. As Senator McCain isolated earlier, the North Vietnamese breaking the agreement, no elections allowed in the South, and eventually, the war spreading all the way into the South, and the South fell. The North Vietnamese had all kinds of excuses and reasons for violating the peace accords, but nonetheless, it is hard fact that they violated the peace accord.

Some of the dates I think might be relevant, at least they are for me and it might be, as I ask you the questions about these things, it would be to refresh your memory as well. The peace accords were signed on the January 23, 1973. The Homecoming date was the March 29. The famous letter that now apparently has been repudiated was on the April 13, 1973.

You referenced Watergate earlier, and my memory was not sound enough so I had over the lunch hour some dates pulled on that as well. The break-in occurred on the June 17, 1972. The guilty verdict came down for those broke in on the January 30, 1973, a week after the peace accords themselves were signed.

There was a breakthrough in the investigation on the March 23, 1973, when Watergate defendants were first provided some information. The committee convenes in May. The hearings went from May to August 1973, not long after the Homecoming itself occurred.

Can you just elaborate a bit on your own recollection of the mood of the Nation in 1973 and how you think that might have contributed to our own Government's attitude? Because I must say that it seems to me that, as I examine it, what happened was, without any intent of pointing fingers or finding scapegoats, that early on in this game the rules of engagement were set and those rules were never broken all the way through. Information was not released.

Senator Grassley and others have been hounding the Defense Intelligence Agency to release information. They finally released the information recently, and we are now all pouring through the reams of stuff. It seems to me the rules of engagement were set very early. And it seems to me, as I look at it, the rules of engagement came as a consequence of just wanting to pull the window down on Vietnam and get it off the screen altogether and move on to something else entirely. And that any reference to POWs or any-

thing having to do with Vietnam provoked a difficult political situation and people just did not want to examine it for a relatively long period of time.

I am wondering, sir, if that is your own recollection? If not, could you perhaps elaborate on what you recall from those days from 1973 to 1975?

Mr. PEROT. It is very close. You mention the Homecoming in March?

Senator KERREY. March 29 is the day I have.

Mr. PEROT. The first plane came back from Hanoi when, earlier than that, wasn't it? January, right.

So they came home in several groups. But in January the first group came home. And I think all of the POWs were home well before March. But you had your White House event in March probably. That would have been the big event, where all were welcomed home officially.

It was just like, you know, just constant saturation bombing day in and day out on Watergate. The country was preoccupied with it. The country was exhausted from Vietnam and then had Watergate on top of that. And it's fascinating, I think a key document in this whole thing is when the decision was made—and Roger Shields made the statement—and we put the problem behind us.

But there is one little piece that we haven't mentioned today. Former POWs, just back from hell, who kept raising the issue of men left behind after April 14, were called in, chewed out, and told to cut it out.

The CHAIRMAN. Do you know who they were?

Mr. PEROT. With time and with patience I can reconstruct it. But that's old, because I remember how angry they were at the time. And I was still hearing from the families that were home, and what have you.

The CHAIRMAN. Do you recall if Admiral Stockdale or—

Mr. PEROT. I will have to just go back and start calling people. And I'm sure they'll level with me.

The CHAIRMAN. Well, clearly, Mr. Perot, and I am sorry to interrupt, that would be very helpful to us. And we will leave the record open for the purposes of that information.

Mr. PEROT. I will try to do my best to find you a few of those guys.

The CHAIRMAN. Thank you.

Mr. PEROT. But if you didn't put it behind you there was a point when basically, they said, look—and the general theme was, it's so bad in this country that a military man can't wear his uniform to the Pentagon. And that's how bad it was.

"We've got to rebuild the military. We've got to defend this country against Russia. We still have the cold war in full force. We have got to face forward, not backward." And that was the general theme that was given to them.

Now, then, 20-some odd years later, we have got a White House official in this memo here today talking about, my gosh, how will it look if someone pops up? See, we're back to the same old story. How will it look? To me, it looks a lot worse to leave them there. It would look great to have them come home.

Senator KERREY. Probably the first POWs were released on February 12, 1973, and the completion must have been around some time in March.

Mr. PEROT. Is that it?

Senator KERREY. Can you tell me a little bit about this organization, United We Stand? I assume you had a very close relationship with the Nixon administration. You said you had a close relationship with Mr. Kissinger and a close relationship with others in the administration. United We Stand, as I understand it, was organized for the purpose of making the American people understand that the POWs themselves were being held. It was expressly for that purpose, trying to generate—

Mr. PEROT. And for trying to show unity to get the war Vietnamized and closed down. The thing that was obvious to me and I think obvious to any close observer of this is the Vietnamese were really taking advantage of the division in our country. Once the decision was made to Vietnamize the war and the intelligence community indicated that half the prisoners might die of brutality and neglect in the 3-year period it would take, then it seemed to me that it made a lot of sense to try to show unity, and particularly on the POW issue, and if we could extend that, fine.

And, as it turned out, there was tremendous unity on the POW issue, to the point, as I said this morning, a senior officer of the North Vietnamese military, as they went to the airport, told one of our officers, the worse mistake we made in the war was the brutal treatment of the prisoners in the early years. It was the only thing that united the American people.

Now, the closeness—it was a professional—I don't want to infer a closeness with Dr. Kissinger. He was a very busy man. He is the man I worked with on this project. But that was at a very high policy level. I had very little contact with him. Most of my contact was with then-Colonel Alexander Haig, who was available night or day, 24 hours a day, 7 days a week. And as I have said before publicly, both Dr. Kissinger and Dr. Haig's—and Colonel Haig's attitude when I was around them was—it was as if these men were their sons. They really cared.

Senator KERREY. I am not trying to trap you in any way—

The CHAIRMAN. Unfortunately, we need to try to move on.

Senator KERREY. Didn't you take some of my time earlier?

The CHAIRMAN. No, I took my time from my second round, and I am about to turn it over to Senator Smith.

Senator KERREY. If I could just complete the question, Mr. Chairman.

I am not trying to trap you at all, Mr. Perot. I acquired the information about United We Stand from the deposition you gave voluntarily. And it seems that, in the deposition, the idea of forming this 501(c)(3) came from the Nixon administration.

Mr. PEROT. No.

Senator KERREY. It did not?

Mr. PEROT. I don't think you got that from my deposition.

Senator KERREY. It was an idea that you had on your own to keep it a private organization, not connected with the Government, that was your idea?

Mr. PEROT. Excuse me. The POW project had to be a completely private project, otherwise it would have had no credibility with the Vietnamese, and these were the people we were trying to impact.

Senator KERREY. But that was your suggestion that it be kept private?

Mr. PEROT. That is a good point. No, I think that was actually Dr. Kissinger and/or Colonel Haig said this has to be done privately. You will have to use your own money. Because if there is any chance, you know, that it could ever leak, then everything you've done is destroyed. That's the way it was done.

Senator KERREY. Thank you.

The CHAIRMAN. Senator Smith.

Senator SMITH. Is it the chairman's wish to bring the other witnesses up?

The CHAIRMAN. I thought what we might do now is integrate the panels. I know there are more questions for you, Mr. Perot.

Mr. PEROT. I am going to eat lunch, if it's all right. I didn't get a chance to.

The CHAIRMAN. Wait, Mr. Perot, if we could, I want to finish then the other round with the senators before you do that.

Mr. PEROT. Sure.

The CHAIRMAN. I just thought it would be handy to have them present at the same time.

Senator REID. Mr. Chairman, to expedite things, do you think we ought to go 5 minutes on this round?

The CHAIRMAN. I think we will be all right timewise. We have got plenty of time.

Senator Smith, if you have questions now, of him? If you want to wait, we can come back.

Senator SMITH. I do have one or two specific questions about the period of time of the meeting in Laos, and perhaps I can pick up on it again when the other panelists come up.

The evidence regarding POWs in Laos, in my opinion, centers around live-sighting reports, which we have gotten post-1973. The Eagleburger document that you referred to, in my opinion, shows some indication of knowledge at least of intelligence that would support knowledge of POWs in Laos.

When you were there in 1970 and you had this meeting with the [CIA] station chief and others, what types of indications did they give to you specifically about the existence of POWs in Laos during the war in 1970?

Mr. PEROT. Well, basically, that's in my letter to the President. They basically indicated that they had radio intercepts. They were able to track the prisoners on the ground. They knew where the prisoners were being held. The reason they had not tried to rescue the prisoners is the risk-reward ratio was not good. I certainly agreed with that. They probably would have gotten more people killed in a rescue than they rescued.

But they seemed to have a great deal of knowledge about who they were, where they were held. And they told of specific cases of Sam Neua Province, which ties in with General Walters' testimony several years later.

Senator SMITH. And I would certainly say for the record, based on documents thus far that the committee has reviewed, and it is

my understanding in some cases these documents may still be classified, so I cannot discuss them at this time, but hopefully they will be declassified shortly, that some of this documentary information was provided to Mr. Kissinger and it was his impression as well that there were POWs. In fact, a specific number was mentioned in some of the documents that I have seen. At this point I do not choose to mention that number, but that there was far more than the number 10 which was released by the North Vietnamese.

So I think it is important to show on the record that Mr. Perot is relating to the committee and to the American people what he was told by Government officials in Laos. I think the documents that have been provided would certainly lend credence to that—that somebody had information to that effect. Whether or not the information was correct or incorrect I guess depends on our intelligence collecting abilities.

We do know, regarding the Baron 52 incident, which we have already had testimony on publicly, that there was a belief, at least, that there were intercepts. Some choose to deny that there were radio intercepts. Some say otherwise. The point is there were copies of such intercepts in the files which we saw.

So I think there is an ample amount of evidence to show, in my opinion, that somebody believed there were American POWs in Laos not only in 1970, but also 1973 and after.

And I think it is important to point out here, there is a time-frame that begins to develop. Mr. Perot was there in 1970. He is briefed by the station chief, and we will be hearing from those people shortly. But he is briefed and they have indicated that there are POWs there. The intelligence right up until the Paris Peace Accords indicated that.

And then, as I said before, a 2 or 3-week window of time develops in which an administrative decision comes down saying otherwise. So, the point I am making here is there is a lot of open-ended questions to be answered. And I think, unfortunately, sometimes, because of the nature of the way we operate around here, and certainly on this issue, we beat up on each other.

The truth of the matter is that all of these documents and all of this information should be willingly provided to the committee and to the American people. That is not the case. We are getting a lot of information without a great deal of trouble. But we are also having a heck of a time getting other pieces of information. Specifically, information at the highest level of intelligence, especially in the area of the CIA. And it is a CIA operation, was a CIA operation in Laos.

You have given a very specific comment about what you heard, and I would just for the record that I think, based on documents that I saw, that I have seen thus far, there would be support for what you have said. I think it is also important to point out that Mr. Perot is testifying to what he was told. That he was not a Government official. Never represented himself as a Government official.

He essentially, and I will be happy to take your comment and yield to my colleagues, but, as I understand from his testimony, has basically talked about four areas. His humanitarian efforts on behalf of the POWs who were in Vietnam during the war, he was

asked to help and did help. He was asked to help in terms of going over to Laos and getting a briefing from the station chief, and he did that. He was also asked by his testimony to look into the matter of a tape by high level Government officials. And I might say that I had direct involvement in that information, and everything that I heard Mr. Perot say was correct regarding the tape.

I was involved in the negotiations for that tape as well. It did not materialize. It may have been a fraud. It may not have been. I do not know. But I was involved in those negotiations, and nothing Mr. Perot said was incorrect about that.

And fourth, a man who has offered his services at the request, again, of President Reagan in 1986 or 1987, to try to jump start the issue.

So I think we all should try to remember that the testimony that Mr. Perot is giving—he is trying to be helpful. He has worked very closely with this committee over the past several months to be helpful. And I think we ought to be careful not to characterize something that he is not saying. I think we have to be very careful about that.

But I just believe that we have a tough time sometimes defining the word evidence. But, to me, when intercepts are valid for one sighting and not valid for another, I think we need a reasonable explanation. We have radio messages. We have signal intelligence on Laos, which you have already indicated, and we probably have more that the committee will be getting into. We do have radio messages.

We have the Nhom Marrot raid. Some believe in that. Some do not. We do know, though, as a result of Nhom Marrot, that the President of the United States, President Reagan, thought enough of the information on that to organize it and to try to determine if POWs were there.

So, this does not happen, the President of the United States does not order a raid without adequate intelligence preparation. Let us be honest with each other, for God's sake. So, if he is getting erroneous information, then we have got a problem with the intelligence agencies in the country, not with Ross Perot or the President of the United States.

That may be the problem.

So, I just want to offer that for the record, Mr. Chairman. But, to conclude by saying that we do have documents that do support, and the Eagleburger document is one of them, that does support or does lend credence to the fact that there were American POWs there during the war and after the war.

Are these documents correct?

That is the intelligence agencies involved, they have got to try to answer those questions. Certainly not the President or Ross Perot.

I yield, Mr. Chairman.

The CHAIRMAN. I was about to say thank you for the questions, then I caught myself.

Thank you.

Senator SMITH. Other people can ask questions. That is my prerogative. I can make a statement if I want to.

The CHAIRMAN. Senator Reid.

Senator REID. Thank you, Mr. Chairman.

Mr. Perot, you are really going to want that lunch I guess pretty soon. This is a long time for you.

Mr. PEROT. That is all right. It's all right. This is more important.

Senator REID. One of the things I think we have to establish clearly, because there are, as you know, some contradictory testimony about the briefing that you had in Laos in 1970. First of all, what time of the day or night did that take place, do you recall?

Mr. PEROT. Could you tell me what the contradictory testimony is? See, because I'm not a Government employee, so I don't get any of this. Could we first explain where is the contradiction?

Senator REID. It is my understanding that the CIA Laos station chief will say that he never spoke to you either at the U.S. embassy in Laos or anywhere else. That the U.S. Ambassador to Laos at the time states that they lacked the sophisticated intelligence necessary to come up with reports of specificity that you, Martin and Meurer said that they had received.

So, what I want to do is establish that the conversation took place. You have talked about it a number of times. What time of the day or night did it—

Mr. PEROT. I don't remember, sir. It was in 1970. I probably will shock you that I can't give you the exact time. But I don't remember the exact time of day.

Senator REID. And that is fine. That is fine.

Mr. PEROT. Now, perhaps one of my associates who was there will.

Senator REID. And we will try to do that.

Mr. BRYANT. Senator, all three of these gentlemen have testified about everything they recall about that conversation, including the time.

Senator REID. Sure. Fine. No problem.

Do you remember, Mr. Perot, who was present?

Mr. PEROT. I just remember being in a meeting. There were several people there. I remember there were maps on the wall. And my recollection is that \* \* \* was the man briefing us.

Senator REID. And tell us briefly what was said and by whom?

Mr. PEROT. Well, he was the one doing the talking, as I recall. And I've already covered what he said and he pointed out, you know.

Senator REID. So, the briefing took place in the—

Mr. PEROT. The spring of 1970.

Senator REID. And present at the meeting were you, your two associates, and the CIA station chief, right?

Mr. PEROT. \* \* \* who, you know—

Senator REID. Whoever he was.

Mr. PEROT. You know, he may be the tooth fairy. I don't know who he is. But the point is, he was the person doing—excuse me, he was introduced to me as \* \* \*. Have you spent much time around the CIA, Senator?

Senator REID. Probably more than I would like.

Mr. PEROT. OK. Then you understand why I would ask that question?

Senator REID. Yes.

Mr. PEROT. All right, fine. Again, they had a very difficult mission. These are fine people. I have the highest regard for them.

Senator REID. Was there anybody else there?

Mr. PEROT. But they were running a nonexistent war in Laos, right?

Senator REID. Was there anyone else there in the meeting?

Mr. PEROT. I said my recollection is there were other people there. I don't remember who was there.

But basically the embassy was a CIA operation.

Senator REID. Mr. Perot, would you tell me what happened in 1970, wherein the Vietnamese sent people to kill your family? What do you know about that?

Mr. PEROT. They went to Canada. The Vietnamese met with terrorist groups in this country. The FBI had penetrated those terrorist groups. The FBI warned me. We took security precautions around my family, and the most significant event we had one night is five people coming across my front yard with rifles.

Fortunately, we had a security dog trained, supposedly trained to go for one person. Instead, he worked them like a sheep dog. He worked all five and got a big piece out of the seat of one of the guys as he went over the fence. We thought we'd be able to find that person, because if you take a tremendous hit to your seat you bleed profusely. We checked the hospitals within 300 miles of Dallas, never could find a soul.

Senator REID. But you were alerted to this by the FBI?

Mr. PEROT. The FBI, yes. They had penetrated that group. They alerted us, so fortunately nothing happened. Well, when you have got several guys with rifles, that is a pretty good crowd coming at your house.

We had a number of other interesting incidents on airplanes, places like that, but so far, so good. Nothing happened.

Senator REID. What is your opinion as to why no further attempts were made by the U.S. Government to locate this Mr. Gregson? This is the man with the videotape that you talked about earlier.

Mr. PEROT. I don't know. You'd have to ask the people. See, I'm just down in Texas doing business. I get a call from the Vice President of the United States, I drop everything.

Can you imagine how complicated it is to figure out how to get a guy out of jail in Singapore? How'd you like to find an Indian businessman and convince him that you'll give him the \$45,000, he'll drop the charges, then a guy goes to Bangkok.

This was a very complicated undertaking, and in mid-flight everybody got cold feet, which is—you know, that's fine, but they got partially cold feet. They wanted me to finish it, but they wanted to be away from it.

I agreed to finish it. I kept them informed every step of the way. They knew when he was going to be in Washington. They attempted to arrest him. He avoided them, and then everybody just kind of ran away from it.

Senator REID. Do you at this time think that there was a videotape? What's your gut feeling?

Mr. PEROT. I would hope that my Government wouldn't send me on that kind of a wild goose chase if they didn't think there was

one. Keep in mind, we had the man asking me—the man asking me ran the CIA, General Peroots ran the DIA, so these are not just two ex-paper boys up there having fun over the phone.

Now, somebody has told me there's a press statement by General Peroots that they were just teaching me about scams.

Senator REID. Teaching you about what?

Mr. PEROT. When you get him under oath, ask him, because when you think of all the things they've asked me to do over the years, I consider that a really gross abuse, if this was just, one day they said let's go play a trick on Perot and see how much money he'll spend on nothing—keep in mind there is the Special Forces officer who claimed he saw the tape. I never saw the tape.

Senator REID. Mr. Perot, one of the things—as Chairman Kerry mentioned, we're going to go into this in November. One of the things that has been alarming, disappointing, and amazing, is all of the groups, special interest groups who are in this for money, just trying to drum up people.

I met with a couple of people from Nevada last trip home. One woman lost her husband she'd been married to 19 years, on his third tour of duty in Vietnam. Another man's young son was in the Army and was lost in a battle, but because of their desperation, over the years they have given money to people to bring their son and father home—son and husband home.

Now, are you familiar with any of these groups that have done this to these people?

Mr. PEROT. If I knew of anybody like that, I'd do everything I could to put him out of business. I'd bring in legal action against him.

Senator REID. You feel that should be one of the responsibilities of this committee, do you not?

Mr. PEROT. Yes, but again, as I said this morning, as you look at this—see, first off, anybody that wants to do this as a business doesn't understand that this is not a good place to do business, you know, to try to make a living ripping off the families of MIAs. You'd be a whole lot better to cut grass for a living. This is a not a profitable thing to do, I wouldn't think.

It's my sense—and I've had very little contact with these groups, except that every now and then they call me all excited about something they're in the middle of, and I listen, and so you say well, do you know so-and-so, so-and-so? Maybe I've never heard of them. I say yeah, I've heard his voice over the phone. That'd be 99 percent of them.

A few of them might have gotten in my office and I would listen. Some of them were sent to my office by senior officials of the U.S. Government and I always listen to them and then marvel why they were sent.

But when the dust clears, I would put most of them in the category of people whose hearts were in the right place but who were so emotionally involved that they lost perspective in terms of what they were trying to do.

I'm sure there are some that are just rip-off artists, and certainly action should be taken there, but just imagine, let's assume you do go over there, you do live up on the Mekong River, this is not the Riviera. These fellows that group there and do all that stuff, half of

them I think really believe in what they're doing. Most of them really believe in what they're doing, and they're well-intentioned but misguided, would be my summary.

So I think you need to look at it. I put them—in general terms, now if we had a real rip-off guy I'd say let's put him in jail tonight, right? The well-intentioned person, I'd say be very careful. The U.S. Government employee taking my tax money month after month after month, burying this, sitting on this, spin-controlling it and letting the clock tick down on these guys, I've got a lot less respect for him than I do of the well-intentioned guy who will go to the Mekong, even though he's not fully informed in terms of what he's trying to do.

Senator REID. I can appreciate that, but specifically referring to some of these photographs, which from all the information we've been able to obtain are just phony—there is no other way to say it—it would seem to me that this is in a different category than the well-intentioned people.

Mr. PEROT. Well again, I don't know anything about them. See, I've never—again, when you all were pinning me down wanting live videotape, et cetera, et cetera, I was sitting here thinking to myself, gee, if you ever produced it, God knows how they'd recast it.

The point being, the person might have brought that out thinking he had something. Let's assume he's been over there fishing around for years, finally gets this, some con-man on the other side sells it to him, I don't know who the bad guy is here, and I don't mean to defend any of these people. I'm just saying my heart goes out to all of them.

Now, there are people who have fallen on the battle field in Vietnam who feel so strongly about their friends who were left behind that it has driven their lives since the war. Now, again, I would say as you go into that, don't be more harsh on them than you would on a high-level Government employee that sat on this, left these guys behind, shut it down on April 14 and let them rot in wholesale numbers, and we're paying for that.

Senator REID. I think your advice is well taken.

Senator Kerry, that's all I have.

The CHAIRMAN. Thank you, Senator Reid. Senator McCain.

Senator MCCAIN. Thank you, Mr. Perot. We appreciate your patience and your perseverance. Maybe we can send someone out to get you a sandwich if we have extended questions.

Before we go much further, I think it's very important I was not here when you came in after the lunch break, but I understand you made a comment or statement that you had heard that you were going to be set up, or something along those lines. I can document, Mr. Perot, and I hope you're paying attention.

Mr. PEROT. I am. I'm just looking at your papers.

Senator MCCAIN. Last night, my staff—at about 10:30 at night I was on the floor debating the Bosnian resolution—received those documents. My staff person this morning came in with these documents.

I looked at them, I asked him if they were going to be disclosed to the press. I was told that they were going to be made public, and since they were, I knew that they would be of great interest to you,

and I felt that it would be very important that you be allowed to respond after—as I said this morning, after you had had the opportunity to examine those documents.

So I want to make it perfectly clear, I don't know who you may have been referring to, but the fact is that I wanted you to be able to see those documents and have knowledge of them as quickly as possible and have time to examine them and respond to them before you read about them in some newspaper or magazine.

I hope that clears up any misunderstanding that I may have had, or that you may have had or may not have had. The fact is, when I referred to these documents this morning, I said I would like you to have ample time to examine them and respond to them, so I hope that clears up any misunderstanding.

Mr. BRYANT. Senator, I would note that Mr. Perot really hasn't had ample time to look at the documents.

Senator McCAIN. Let me say, Mr. Bryant, I am not seeking a response. I want Mr. Perot to be knowledgeable of those memos as quickly as possible. That was why I mentioned it this morning, and that's why this morning I did not request a response to them, nor do I now.

The CHAIRMAN. I think there are only about ten pages of new documents. A lot of them are the letters, I think, if I'm correct. Were they not included in the package?

Mr. BRYANT. There are about 40 pages of documents that we got before lunch that may not be new to the committee, but they're new to Mr. Perot.

Senator McCAIN. Let me put it this way, Mr. Perot. If the information making the allegations or statement or information such as contained is in there, I would want to know about it as soon as possible. I tried to bring your attention as soon as possible, after I had seen it at approximately 7:30 this morning.

Mr. Perot, in your testimony before Congressman Solarz in 1986 you referred to two individuals who you stated had evidence which proved the existence of live prisoners of war. Can you tell us the names of those two individuals?

Mr. PEROT. They've already testified before your committee. They've testified—these are people with very top clearances. Senator Kerry knows who they are. Senator Smith knows who they are. Senator Codinha—excuse me, Mr. Codinha knows exactly who they are.

Senator McCAIN. Let's make me the last to know.

Mr. PEROT. Again, if I was a Government employee I could have a private session, but I'm just a taxpayer and I can't mention the CIA station chief's name, right, or whoever it was.

I turn around over here, though, here are these people who—I don't really understand all their oaths and security and what-have-you. They have come forward and testified before your committee.

The Chairman: There's no reason for their names not to be public. We're talking about Jerry Mooney and Mr. Minarcin.

Those are the two names.

Mr. PEROT. Whatever you say.

The CHAIRMAN. They've been deposed by the committee and they've testified before the committee.

Senator McCAIN. Mr. Perot, and you stated earlier that you have evidence that American Vietnam prisoners of war were flown to Russia. Is that your view?

Mr. PEROT. I would say there is evidence. I don't say I have evidence. There is evidence.

Senator McCAIN. Would you describe that evidence, please?

Mr. PEROT. First, you've got the Russian KGB key people talking about it, you've talked with them. Secondly, you've got—

Senator McCAIN. I'm talking about Vietnam POWs.

Mr. PEROT. Yes. KGB people were talking about it several months ago. It was in the papers. You've interviewed those people, it's my understanding. Apparently they tell different stories, but I find it fascinating that the KGB is singing about it.

Then we have some interesting signals intelligence that these gentlemen know about of people being taken to Russia.

The CHAIRMAN. Let me just point out that neither of the gentlemen we talked to says they were taken. They talked about interrogation at different points in time, but neither made an allegation that they were transferred to the Soviet Union.

Mr. PEROT. All right. Don't you have someone that's testified?

The CHAIRMAN. We're talking about General Kalugin and Mr. Nechaparenko, and both of them alleged times that prisoners were interrogated in Vietnam, one of them alleging it had been post-1975.

Mr. PEROT. We had one case that I recall, I can't remember the details, that people were being taken to the Soviet Union. We even tried to intercept the aircraft. Does that ring any bells?

The CHAIRMAN. There is a signal intelligence interpretation to that effect from one of the people you mentioned.

Mr. PEROT. OK, that's one. Again, I don't have access to that information. I think the more is available, the more you'll be helped, because they have a lot.

Senator McCAIN. Mr. Perot, my question was framed in the context that you have made statements to this committee in your deposition that there was evidence that some Americans were taken, American Vietnamese prisoners of war that were taken to the Soviet Union. My question is, what evidence was that?

Mr. PEROT. I've given it to you.

Senator McCAIN. So my understanding is that your answer is that the signal intelligence and the conversations by the KGB—is that correct?

Mr. PEROT. All the public news stories from the KGB, and then I think President Yeltsin made some interesting comments on one of his trips over here, too, didn't he? I find it fascinating, the standard that you all demand. When the President of Russia is talking about it, can't we assume that there might be a smoking gun somewhere? I'll leave it to you.

Senator McCAIN. I'm simply asking the question as to what evidence that you'd heard of. I'm not sure that—

Mr. PEROT. Well, I'll give you another piece in a few days. I got a letter yesterday from a person who claims that he has the details and is sending me a map, and I intended to send it directly to you as soon as I get it, and who knows, you only have to get lucky once. It's probably another ship passing in the night.

This is a person in this country from Russia who said, I'll trust you with this if you will get it to the appropriate authorities, and I said well, send it to me. I will turn it over to you just as I have everything else that's come to me.

See, Mr. Codinha, you got the dogtag list I got from the guy who was the naval officer in Europe, right. It may be another lost one, but it was how many dogtags, 50, 60 dogtags? Worth checking out, right? U.S. naval officer sent me a message, I sent it to you.

Senator McCAIN. I'm glad to hear of this new information. I'm glad I asked the question.

Can you give me your assessment—recognizing, as you stated, that you don't have a lot of secret information, can you give us your assessment of the job General Vessey has done as first President Reagan's and then President Bush's emissary on the MIA issue?

Mr. PEROT. I think General Vessey is a wonderful man. I have the highest regard for him. I think they gave him a mission too narrow. I think they are reserving too much control over him at the National Security Council.

He does not have the financial resources to be able to just do this out of his own pocket, and that way he is totally under the control of the Federal Government in terms of what you do, when you do it, how you do it. He doesn't have much of a staff that I know of. Maybe he does—I hope he does.

But the key thing is, he's only been over there five times since 1986. That's not exactly a night and day aggressive operation. I have every sense that if you'd required, General Vessey would have been there and never come home, if he felt that it would have been worthwhile and he could have gotten clearance to do it.

I would like to know, and my sense is, that he reports somewhere—at the National Security Council, you've got—at last at one time you had some pretty turf-sensitive people there. Under General Scowcroft, if he's reporting direct General Scowcroft, then I would be very comfortable. I know any of that. I don't have access to that. Who does he report to? Is that a fair question?

Senator McCAIN. The President.

Mr. PEROT. Real world, who does he report to?

Senator McCAIN. The President. He meets with the President.

Mr. PEROT. Does anybody know how many times he's met with the President?

Senator McCAIN. I don't.

Mr. PEROT. Again, I know it's probably not appropriate for me as just a taxpayer to ask, but I would like to know, if it's not a secret, how many times has he met face-to-face with the President on this issue since 1986-1987. That would give us some sense of the priorities.

Senator McCAIN. I've asked General Vessey on several occasions if he felt that he has been given the authority that he needs to carry out his duties, and he has affirmed so. This is a person who has fought in several wars and became the Chairman of the Joint Chiefs of Staff, of whom I also share your very high regard.

I would point out for the record that the United States has taken several steps along the lines that you suggest, such as the sending of a CAT team to Laos, such as the construction of a school, such

as money extended for humanitarian aid, prosthesis efforts, disaster relief, and there have been several small steps taken by the Government, as you know, the latest of which is lifting some communications ban between the United States and Vietnam in keeping with the road map that was laid out.

I also think that there's a certain political reality here that maybe is not part of this hearing, but there's still a great resistance amongst the American people and the veterans population, as pointed out by Senator Kerry early on, amongst the POW/MIA families, strong resistance to steps towards normalization until all those missing in action are accounted for.

So we do have a rather delicate balancing act here, because of course we need to take into consideration the views, as you have all these years, of the families of those who are still missing in action, so it makes for a rather difficult path, a very delicate path, that we have to tread.

I thank you again for your patience here today and your very important responses to questions. Thank you.

Mr. PEROT. Do you want to go through this?

Senator McCAIN. Pardon me?

Mr. PEROT. Do you want to go through this?

Senator McCAIN. No, sir. Your lawyer said you hadn't had time to review it.

Mr. PEROT. I think we should go through it today, because it's fascinating. If you all want to have these other fellows come on for a while, let me read it, mark it, and then we'll talk about it.

[See pages 57-104 for the referenced documents.]

The CHAIRMAN. Why don't we do that? I think that's a good suggestion. Are there other Senators who have questions in this round? Senator Grassley.

Senator GRASSLEY. I want to start with something that Senator Smith mentioned in his last statement, and that is a discussion of what the administration knew about POWs in Laos in 1973.

Without resort to any classified information, we know that Dr. Kissinger believed that the Laotians still held POWs after Homecoming, by a reference to his book, Years of Upheaval.

I want to quote, and I—it is a long paragraph, I will just quote a little bit—and I will ask you for your comment. We knew of at least 80 instances in which an American serviceman had been captured alive and then subsequently disappeared. The evidence consisted of either voice communication from the ground in advance of the capture or photographs and names published by the Communists. Yet none of these men was on the list of POWs handed over after the agreement. Why? Were they dead? How did they die? Were they missing? How was that possible after capture?

And you tend to agree with this and have you ever had any conversations with Dr. Kissinger on this whole subject?

Mr. PEROT. Not since the war, no, sir. Yet an interesting thing occurred at the end of the war. It didn't involve Dr. Kissinger.

When the first prisoners landed in the Philippines, one of them called and said, Ross, I had two phone calls. I called my wife. I wanted to call you to thank you for all you did. And I was asked to do this by all the men. This was Jerry Denton, later Senator Denton.

And I said, well, thank you very much, but if you only had two calls, you called the wrong person. You should have called the people who went to Son Tay. You should have called Colonel Simons, because they risked their life for you in a very open way and they never received any credit.

And he said—I loved his response. Here was a guy that had been in prison for years. Without batting an eye, he says, you're right. I should have called Colonel Simons.

And I said, let's do this, Jerry. When you get home, the first time you guys ever come together, let's come together to thank them, because nobody ever did.

Then, that started. This man here was sent to—Tom stepped out. Tom Meurer was sent to San Francisco to plan the San Francisco weekend. The prisoners wanted it in San Francisco. I said, fellows, San Francisco has got a lot of anti-war movements. I'm not sure it's a good idea.

He said, Perot, we've been in jail for several years, have it in San Francisco. Tom set it up mid-flight. And this will show you the pettiness of Washington. I get a call from a senior White House staffer saying, we don't like the San Francisco weekend. I said, who's we? Of course, I didn't get an answer to that.

Then he said, we want you to kill it. I said, look, the whole community has come together in San Francisco. It's on the front page of the paper every day. It's going to be the biggest parade in the history of San Francisco. It's too late to kill it. And besides, the POWs want to do it.

We do not want the POWs to come together as a group until they come to the white House. And I said, well, I understand, but it's too late. They say, if you pursue this, you will never be invited to the white House again and you will not be invited to the POW Homecoming at the White House.

And I said, fine. But sooner or later—oh, and if you pursue this, we will not allow any military bands to participate. I said, fine. But sooner or later somebody in the press is going to ask me why there are no military bands, and I going to tell him every detail of this conversation.

A few hours later I got a call from General Stilwell who was commander of the Presidio. He says, Perot, what in the devil did you do to the white House? I said, what are you talking about? He says, they just called and said, get him anything he wants.

Now, we had the military bands. We could have gotten high school bands, but this world class pettiness, not the President by any means, but down there at—you know, the guys blowing up balloons and what have you at the staff level. They didn't like that and so I was, after 4 years of working night and day on this, I became a nonperson. But that was fine with me because I thought Watergate was abhorrent and I didn't want to have anything to do with them anyhow.

Not that Dr. Kissinger had anything to do with it, but the point is there would not have been an occasion for me to talk to Dr. Kissinger because unfortunately we had a welcome home for the POWs to thank the Son Tay raiders.

Senator GRASSLEY. Have you ever had any discussion with Dr. Kissinger on whether or not we have ever gotten all the POWs home?

Mr. PEROT. No, sir. I have no contact with him. I had one contact with him when I asked him to help get the people out. It had been so many years since I talked to him, it was 1979, I started to explain who I was. And he says, I know who you are. You helped us with the POWs.

I explained it to him and I offered to retain him and he was really—he really reacted negatively. He said, Ross, after all you did, this is nothing. I will do everything I can. He called me. He said, they will be released. I found out at 2 p.m. in the morning that the prison commander, who now lives in this country, refused to release them. And then we had to go ahead with the rescue. But that was the contact I had with him, I think the only contact I had with him after the war and he certainly responded then and I appreciate it.

Senator GRASSLEY. The DIA position stated to this committee is that there are no MIAs or POWs still alive in Indochina. Now what I am asking for when I ask this question is kind of your judgment. As a committee that ends its business on December of this year, I presume we will be making some recommendations and any ideas you might have if you were writing a report for this committee, the extent to which you might recommend something about organization of our Government for handling this issue.

In your judgment, does there exist any justification for DIA's continued involvement at the center of this activity or would you have any suggestions on personnel changes or Governmental reorganization?

Mr. PEROT. It's a good question. I need to think about it. I would say that you need something like DIA. I have not been around DIA since 1986. I don't know how the system works there now. You need an organization who goes in every morning and says, here is a new shred of evidence. Let's really look at it objectively. Let's not try to debunk it. Let's not discredit the person who brought it in. Let's not spend all of our energy discrediting the person who brought it in.

This goes back to the mind set to debunk that their own people wrote reports about that was alive and well back in 1986. And I don't why that's true and they're all good people. But if you're going to spend the taxpayers' money, it ought to be on a productive way.

I would say at this point in time, if with limited resources, I would put all the big bucks on trying to just negotiate directly, not waste a lot of time with the other, in terms of all the details on intelligence. I would skip that and go straight into negotiation. They have what we want. We've got to work something out with them to get our men back. The sooner we start the better.

Senator McCain makes a point on the veterans' group. I'll be available 24 hours, 7 days a week, to talk to veterans' groups. I've been very close to them. I was close to them when not many people were. They know where I come from. I know where they come from. There is no way the veterans' groups or the families would want to obstruct a series of negotiating steps to get these men

home. He made his premise that we would go straight to normalization. That is not the premise I would use.

There are a whole series of things we can do to see if we can negotiate the release of anyone who might be alive. I know that every family and every veteran would support that, and every person in uniform would support it. And every American would support it.

Senator GRASSLEY. You spoke about the mind set to debunk. I do not know whether you are making that as a statement you agree with. If you do, how does that square with your further comment just made that they are all good people?

Mr. PEROT. One person years ago, when I was working in 1986, a young person—I can't remember his name—came in, he says, don't you ever wonder how we live with ourselves?

I said, what do you mean? He says, don't you wonder what it must be like to spend all day of your life, every day, trying to discredit any sighting that comes in?

And I just sat there and listened. He says, well, here's the way you live with yourself. You just set the screen so fine that nothing can get through. And I just listened. And that's one person wandering into my office, making a voluntary statement and leaving, but it was a statement, in my judgment, it was a statement of conscience from that person.

Senator Grassley: And so you mean their willingness to open up and be candid with you is your statement about them being all good people?

Mr. PEROT. I just—see, you can take good people, put them in the wrong environment, give them the wrong set of ground rules. No, I haven't found any villains. Again, pray that we won't look for villains. If we look for villains, we'll never get our MIAs back. If we spend our energy trying to get our MIAs back, we probably will get everybody back who's still alive. And many of the remains back from the people who are dead.

Senator GRASSLEY. You and the committee here have discussed about the possibility of American prisoners sent to the U.S.S.R. from Vietnam. There has been some reporting in the press recently about it. A journalist and researcher, Mark Sauter, S-a-u-t-e-r, wrote about it on August 4 this year from Moscow.

And I am not going to go into detail about it, but I guess I would ask you if your judgment is based upon these newspaper reports or your judgment is based upon other evidence you have or just a gut feeling you have or statements that have been made to you or from the newspapers as well?

Mr. PEROT. Other evidence, but I would want to give it in closed session. It would be obvious to you why and if you—I think it would be very obvious to you why I don't want to give it in open session.

Senator GRASSLEY. Well, I guess that is up to the chairman. If he wants to—

Mr. PEROT. Well, I can tell him privately if I haven't already told him and let him make the decision. That would be a simple way to expedite that. I'm happy to tell you, but I really feel strongly this should not hit the papers if you want the men back. If you just want another show business—

The CHAIRMAN. No, no, no. We are not looking—as we have said all along, we are not—this is not show business. So, why don't you talk to me privately.

Mr. PEROT. Yes. We can get into a conference room with the whole committee, however you do it. I just would like for you to know why I feel that there is a very high probability that they are there.

The CHAIRMAN. We would really want to do that and we would want to do it before we leave today. Senator Kassebaum?

Senator KASSEBAUM. Thank you, Mr. Chairman. I do not have any questions.

The CHAIRMAN. Mr. Perot, we do have—I have got some additional questions, but I want to get the other panel up here now. I want to give you a chance to read the documents that you wanted to respond to, so why do you not take a moment to do that? We can make a space available for you. Mr. Codinha will give you a place where you can sit quietly and do that, unless you want to sit here and do it. It is up to you.

Mr. PEROT. No, I'll just go somewhere else.

The CHAIRMAN. And we will get you a sandwich at the same time.

Mr. PEROT. No, that is fine. And then I will come right back in. It won't take me that—I just want to get this marked, so that I can be efficient.

The CHAIRMAN. Mr. Codinha will escort you up there and then if you could come back so that we could finish some of the other questions that we do have apart from that, I would appreciate it.

If I could ask Mr. Meurer, Mr. Martin and Mr. McKillop if they would come up and be sworn.

Mr. PEROT. Could we have one of the staff members point out Sam Neua on the map, please, point out where Sam Neua is on the map? Are you pointing right at it? How does it square with—OK. There, where all those flags are, right? That's Sam Neua over there? What is the province where all the flags are right over to the right? Right up in there is where the action is supposed to take place.

The CHAIRMAN. which also, I might add, was an area reputed to be controlled by North Vietnam and by the North Vietnamese Army. Is that accurate?

Mr. Perot: It wouldn't surprise me a bit.

The CHAIRMAN. Thank you. We will welcome you back, Mr. Perot, momentarily.

Mr. PEROT. Thank you.

The CHAIRMAN. Gentlemen, if the members of this new panel would remain standing, if you would raise your right hands please?

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARTIN. I do.

Mr. MCKILLOP. I do.

Mr. MEURER. I do.

The CHAIRMAN. If each of you would just identify yourself quickly for the record, and I understand that one of you will make an opening and that is all. Is that—Mr. Martin, you are going to make an opening?

Mr. MARTIN. Right.

The CHAIRMAN. Thank you, gentlemen. And thank you for your patience today. We appreciate it very much. If you could just identify yourself and make your opening statement and then we will proceed. Mr. Martin?

#### TESTIMONY OF MURPHY MARTIN

Mr. MARTIN. My name is Murphy Martin. I was a working newsman for over 30 years and during that time, I served as a news anchorman at ABC-TV and also as a news correspondent there and also in various news positions at other TV and radio operations around the country.

In 1969, I became interested in the plight of the families of American prisoners of war in Southeast Asia. And after making a trip to Paris with four wives from the Dallas-Ft. Worth area, whose husbands were missing in action or POW, I put together a television documentary for WFAA-TV in Dallas focusing on these wives and POWs in that area.

After putting that documentary together, I contacted Ross Perot, whom I had met for the first time several months earlier, and told him about that documentary. Mr. Perot came to the studio to preview the documentary and at that time, he met a young boy named Rick Singleton, whose father was, at that time, listed as missing in action in Southeast Asia.

Mrs. Singleton told Mr. Perot that her little boy had been born after his father had left for Vietnam. And Mr. Perot said, do you mean that young man has never seen his father? This very simple encounter with one little boy and his mother had an immediate and powerful effect on Ross Perot.

He said at that time he would like to do anything that he could to help. And during the 23 years since that time, Ross Perot has been as good as his word. I believe that no American has worked so long, so hard and so selflessly for American POWs and MIAs in Southeast Asia and their families as this man has.

I had the privilege of working with Ross Perot and the organization that he founded, United We Stand, from 1969 to 1972. Together we made two trips to Southeast Asia, at Christmas time in 1969 and then again in the spring of 1970 in an effort to gain improved treatment for American prisoners of war.

And we succeeded through those trips and through many, many other efforts involving thousands of people throughout this country in putting the world spotlight on the mistreatment of our men.

And I must say I have never been involved before or since with anything that was as gratifying as those efforts on behalf of our POWs and their families. There is no reward that can ever match having a fellow American who spent years in solitary confinement come up to you and say, thank you for what you did. After you all went to Southeast Asia in 1969, they took the leg irons off me for the first time in 4 years.

This year, as in 1969, many have questioned the motivations or the judgment of Ross Perot. And I want to say I to this committee and to anyone who will listen that American owes this man a huge debt of gratitude. It was only through his tenacious leadership and

his sincere and deep concern for others, and of course his willingness to spend millions of dollars of his own money that ended the torture and inhumane treatment of so many of our men.

The anxiety and heartaches of those days still linger in many Americans whose relatives are still missing in Southeast Asia. It is my hope that this committee will do anything and everything that is necessary to answer the questions of these families fully and honestly, unaffected by politics or by any consideration other than the truth. After more than 20 years, that is the very least that they deserve.

I thank you.

The CHAIRMAN. Thank you very much, Mr. Martin. We can hear your news media background. Mr. McKillop?

[The prepared statement of Mr. Martin follows.]

#### PREPARED STATEMENT OF C. MURPHY MARTIN

My name is Murphy Martin. I was a working newsman for over 30 years. During that time, I served as a news anchorman, an ABC News correspondent, and in numerous other positions in radio and television.

In 1969, I became interested in the plight of the families of American prisoners of war in Southeast Asia, and put together a television documentary for WFAA-TV in Dallas, Texas on several families of POWs in the area. I telephoned Ross Perot, whom I had met for the first time several months earlier, to tell him about the documentary.

Mr. Perot came to the studio to preview the documentary and met a little boy named Rick Singleton, whose father was a prisoner of war in Southeast Asia. Mrs. Singleton told Mr. Perot that her little boy had been born after his father had left for Vietnam. Mr. Perot said, "Do you mean this young man has never seen his father?"

This simple encounter with one little boy and his mother had an immediate and powerful effect on Mr. Perot. He said he would like to do anything he could to help. Over the 23 years since then, Ross Perot has been as good as his word. I believe that no American has worked so long, so hard, and so selflessly for American POWs and MIAs in Southeast Asia, and their families, as this man.

I had the privilege of working with Ross Perot and the organization he founded, United We Stand, from 1969 to 1972. We made two trips to Southeast Asia at Christmas, 1969, and in the Spring of 1970, in an effort to improve the treatment of American prisoners of war. We succeeded through those trips, and through many, many other efforts involving thousands of people, in putting the world spotlight on the mistreatment of our men.

I have never been involved, before or since, with anything that was as gratifying as these efforts on behalf of our POWs and their families. There is no reward that can ever match having a fellow American who spent 7 years in solitary confinement come up to you and say, "Thank you for what you did. Right after you went to Southeast Asia in 1969, they took the leg irons off me for the first time in 4 years."

This year, as in 1969, many have questioned the motivations or the judgment of Ross Perot. I want to say to this committee, and to anyone who will listen, that America owes this man a huge debt of gratitude. It was only his tenacious leadership, his sincere and deep concern for others, and of course his willingness to spend millions of dollars of his own money, that ended the torture and inhuman treatment of so many of our men.

The anxiety and heartaches of those days still linger in many Americans whose relatives are still missing in Southeast Asia. It's my hope that this committee will do anything and everything that is necessary to answer the questions of these families fully and honestly, unaffected by politics or by any other consideration than the truth. After 20 years or more, that is the very least they deserve.

#### TESTIMONY OF HARRY MCKILLOP

Mr. MCKILLOP. Thank you, Senator. My name is Harry McKillop as you indicated and we are today voluntarily giving sworn testimony to the Senate Select Committee in the hope that it will be

helpful to the committee and also to clear up false and misleading allegations made or suggested in recent news coverage relating to Ross Perot and his efforts on behalf of the POW/MIAs and their families.

I have been associated with Ross Perot on matters relating to American prisoners of war and men missing in action in Southeast Asia since 1969. I have worked closely with him on this issue and have made a total of nine trips to Southeast Asia since the beginning of 1987.

Throughout the 23 years, Ross Perot has never expressed or shown to me any interest in any personal investment or moneymaking activity in Southeast Asia. He has absolutely never authorized me or anyone else, to my knowledge, to discuss any possible investments or moneymaking activities in Southeast Asia.

He has clearly and consistently told me that he has no interest whatsoever in any personal business or investment activity in Southeast Asia. Based on my observations over many years, I state without reservation that the only concerns of Ross Perot on this issue have been our men and their families. He has had one purpose and one purpose alone. Anyone who suggests anything else does not know what they are talking about.

Recent news coverage has focused on a document I brought back from Vietnam on my next to last trip in 1990. The basic facts about this document are as follows.

Ross Perot did not send me to Vietnam then or ever to discuss any business matters for him or to make any business deals for him. He had no knowledge of this document or the discussions I had until I returned to Dallas. The document was just an invitation to Ross Perot to help Vietnam attract American investment if and when diplomatic relations between Vietnam and the United States were every restored. It was not an agreement with Ross Perot, as has been suggested.

Ross Perot has never had any business agreement with Vietnam ever. The document arose from the fact that my interest in dealing with the Vietnam was the POW/MIA issue. And Vietnam's main interest was in developing or talking about Vietnam economically.

I felt that by talking with them about their economic aspirations or listening to their ideas of what they may need in the future during these trips to Vietnam, I might develop and strengthen a rapport of relationship that would lead to progress on the POW/MIA issue.

However, the Vietnamese wanted to send a document back to Mr. Perot through me. I accepted this and brought it back because of my friendship with Vietnamese Foreign Minister Thach and my concern for the plight of the Vietnamese people.

When I returned to Dallas and showed the document to Mr. Perot, he said, quote, "what the hell is this?" He made it very clear that he had no interest whatsoever in the document or in any business dealings in Vietnam.

Mr. Perot also at the time told me not to go back to Vietnam, even though Foreign Minister Thach had extended a general or continuous invitation for further visit. I later did return to Vietnam, once in 1991, on the occasion of Foreign Minister Thach's retirement. I did so because I had been invited and I had heard that

he wanted me to come for this occasion. I, as always, thought that this might lead to a breakthrough on the POW/MIA issue. There was none.

In short, Ross Perot's purpose in Southeast Asia has been humanitarian and patriotic. He has never, never had a business purpose there. He has always been careful to make sure that his efforts on behalf of the POW/MIAs and their families did not jeopardize or conflict with those of the U.S. Government on this issue.

Thank you.

The CHAIRMAN. Thank you, Mr. McKillop. Let me ask you—first of all, we are going to limit ourselves, although there are not as many Senators here, but we are going to try to—

Mr. McKILLOP. Excuse me, sir.

The CHAIRMAN. Yes, sir.

Mr. McKILLOP. I had one more paragraph. My mistake. I thought I was finished.

The CHAIRMAN. Go right ahead.

Mr. McKILLOP. Thank you.

The information from the recent news accounts apparently came from Mr. La Bang, who was a young guide at the beginning of our visits and became a low or middle level official of Vietnam. This information as reported is wrong in many respects, ranging from his misstatement of the number of trips I made to Vietnam to his claim that Mr. Perot or I made unkept promises to provide books, medicines, and other aid to Vietnam.

Although I sometimes expressed sympathy for the plight of the Vietnamese people in this regard, no such promises were ever made by or on behalf of Ross Perot that he did not fulfill.

Thank you. That's it.

The CHAIRMAN. Thank you, Mr. McKillop. Let me just say to you that there sort of strikes me, and maybe you can help me understand it, a contradiction, and I want to ask Mr. Perot about this afterwards, but in what he has said thus far and what you said your goal was and the action here. If the purpose was to negotiate and he said we needed to negotiate and you needed to understand what they wanted, clearly, Foreign Minister Thach sent this letter believing he was meeting some needs or interests of Mr. Perot. There would be no reason for him to offer this to Mr. Perot if he did not think there would be some takeup on it. And yet, you're saying the reaction to Mr. Perot was an outright dismissal not going to deal with it, do not go back and talk to them which seems to just cut off right in midstream the very kind of exchange and process that might have, in fact, led to are solution of POW.

Now, how do you further the POW process by just turning it off and not going back and not responding?

Mr. McKILLOP. Oh, I think since day one it was our intention to inquire and to obtain as much information as was available to us, and each time we went over there we felt we were making progress but that progress would come through a more intense, a more sincere, and a more creditable relationship. And while they listened to me for four or five of those visits, about four of the visits, there came a time when their interests become paramount.

The CHAIRMAN. But is that not part of negotiating?

Mr. McKILLOP. Yes.

The CHAIRMAN. Somebody's interest becomes paramount and you have to meet their interest. Is that not primary negotiation 101, as Ross Perot says?

Mr. MCKILLOP. That, in a sense, is negotiation to some people.

The CHAIRMAN. You just shut it off. You walked away, so you say.

Mr. MCKILLOP. Yes. We did.

The CHAIRMAN. Why? It seems so contrary to the notion of getting the MIA/POWs back.

Mr. MCKILLOP. Well, I think because by the nature of the document it would appear that they were wanting to do personal business with Mr. Perot, and that was not what we were looking for.

The CHAIRMAN. But it was only after normalization. The document itself said so. The last paragraph of the document said nothing in here is intended to circumvent any law or to take effect until after the time that normalization occurs. In fact, it mentioned POW/MIA, did it not?

Mr. MCKILLOP. Yes, mmm-hmm.

The CHAIRMAN. So it clearly required moving forward on POW/MIA.

Mr. MCKILLOP. But you see, we were looking for information on behalf and because our country's interest in liberating or defining them, and this document began to take on the semblance of a personal invitation to Ross to engage in business ventures that would involve investment and profit, and that was the furthest thing from Mr. Perot's mind. His discussions this morning about negotiations were the fact that one country should negotiate with another.

The CHAIRMAN. Are you saying to me that if Ross Perot's personal business involvement was what it took to get POWs back he would not have done it?

Mr. MCKILLOP. Oh, I don't know that. Mr. Perot would have to answer that question. -I know he had no intention of getting involved in personal business ventures.

The CHAIRMAN. Well, he said here he would do anything to get them back. He was prepared to put down \$4.2 million to buy a tape. He spent \$3 million to go over there. It is incomprehensible to me that he would not have been willing to invest a few million dollars, if that is what it took, to get a POW back.

Mr. MCKILLOP. That, you would have to ask him. I clearly think that this involves a profit motive, and I think that is where we left off, a personal profit motive.

The CHAIRMAN. OK. Let me come back to you afterwards, perhaps when Mr. Perot is here, but I really want to ascertain this is almost a corollary issue, incidentally. It goes to the theory of negotiation, perhaps, but far more central to the concern of this committee is your testimony, gentlemen, with respect to what transpired in Laos. And I would like it to be on the record in very precise terms what you learned and what you heard with respect to prisoners being held in the briefing that you received.

Now, Mr. Martin and Mr. Meurer, you were both there in that trip to Laos, is that correct? In 1970?

Mr. MARTIN. April of 1970.

The CHAIRMAN. You both went to the embassy?

Mr. MARTIN. Yes, we did.

The CHAIRMAN. Would you both answer for the record?

#### TESTIMONY OF THOMAS MEURER

Mr. MEURER. Yes. Yes, we did, Senator.

The CHAIRMAN. And both of you were present when the CIA briefed?

Mr. MARTIN. We were.

Mr. MEURER. Yes.

The CHAIRMAN. Was the CIA station chief present during that briefing?

Mr. MEURER. Yes.

Mr. MARTIN. Yes, he was.

The CHAIRMAN. Was he identified to you?

Mr. MEURER. Yes.

Mr. MARTIN. Yes.

The CHAIRMAN. Were you introduced to him?

Mr. MARTIN. Yes, we were.

Mr. MEURER. Yes.

The CHAIRMAN. Was the Ambassador present during that briefing?

Mr. MARTIN. Through a portion of it. I can't remember if he was there through all of it, but I recall he was there through a portion of it, yes.

Mr. MEURER. I don't recall, Senator.

The CHAIRMAN. Were other people present?

Mr. MARTIN. Yes, I believe that political officer Jim Murphy was also there.

Mr. MEURER. Jim might have been there, I think. Ross was there.

The CHAIRMAN. Anyone else that you can recall?

Mr. MARTIN. Ross was there, of course.

The CHAIRMAN. And anyone else that you recall?

Mr. MARTIN. I don't recall.

The CHAIRMAN. Who conducted the briefing? Who gave the briefing?

Mr. BRYANT. Senator, I think it's kind of awkward because neither witness knows which one is to speak. Perhaps you could start with Mr. Martin.

The CHAIRMAN. Do you recall who conducted the briefing?

Mr. MARTIN. As I recall, the briefing initially was introduced and conducted by Jim Murphy, and he introduced the station chief who we are not to name, as I understand it, and then he proceeded with the intelligence information about POWs that were being held in the Sam Neua area.

The CHAIRMAN. Do you concur with that, Mr. Meurer?

Mr. MEURER. Yes, I do, Senator.

The CHAIRMAN. Was there a map on the wall?

Mr. MARTIN. I recall the maps, but for some reason I recall maps on a table, not on a wall. I'm not saying that that's accurate. There were maps.

The CHAIRMAN. Were you shown specific locations of where prisoners were being held in Laos, Mr. Martin?

Mr. MARTIN. Shown in the Sam Neua area, and caves were mentioned there and a number was mentioned in the mid-20's as to the number of men that were being held.

The CHAIRMAN. So you were told specifically in 1971 at this briefing—

Mr. BRYANT. 1970.

The CHAIRMAN. 1970, excuse me, that 25 or so—

Mr. MEURER. I heard 27, sir.

Mr. MARTIN. He thinks 27, I remember mid-20's, 25.

The CHAIRMAN. Mr. Meurer remembers 27, Mr. Martin remembers 25, but the memory of both of you is specific as to mid-20's of American prisoners of war being held in the Sam Neua area in caves, is that accurate?

Mr. MARTIN. That is correct.

Mr. MEURER. Yes.

The CHAIRMAN. And was there any question in your mind that these were prisoners who were alive and being held at that time that you were there, or had they been tracked earlier?

Mr. MARTIN. No question in my mind.

The CHAIRMAN. They were alive at the time you were there.

Mr. MARTIN. They were alive at that time.

The CHAIRMAN. Now, what is it about the conversation that makes you remember that? Can you share with us perhaps specifically what was said to you?

Mr. MARTIN. Speaking for myself, there was such an interest then in trying to come with what we call hard information, particularly in Laos, about any prisoner that had been sighted recently and alive. And when you mention a group of them or a number of them, it really tweaked your interest. And that was indelible in my mind from that day forward, the mention of the number, they were alive, they were in Sam Neua.

The CHAIRMAN. Yes, sir, Mr. Meurer?

Mr. MEURER. Senator, I recall, you know, this was a meeting that was some 22 years ago, so quite frankly it is foggy to some degree. What I recall, the meeting was very late at night, 1 or 2 in the morning. I recall that we were in the embassy. To say how many people in there, I can't recall precisely. I know Ross and Murphy were in there and the station chief, I remember him. I remember the number 27. In fact, I made a note of that later on so that has stuck in my mind, and men in the caves at Sam Neua. Now to say that these were anything else, I just don't remember.

The CHAIRMAN. Did they inform you that these men were specifically being tracked by them?

Mr. MEURER. I don't recall that.

The CHAIRMAN. Do you recall, Mr. Martin?

Mr. MARTIN. I don't recall that.

The CHAIRMAN. Do you recall how it was, did any of you ask how do you know these men are alive and being held prisoner?

Mr. MARTIN. I don't recall the specific question along that line except that the presentation as it was made and the tone of the conversation and the person who was making it and where it was being made gave it all the credence that I needed to believe it to be a true statement.

The CHAIRMAN. Mr. Meurer?

Mr. Meurer: Well, I just remember the sighting or scene. So it was a visual observation somehow that I recall. Somebody had seen these men.

The CHAIRMAN. Did you discuss, either of you, afterwards? Did you have further discussion about the fact saying gee, wow, these guys are being held or did you take note of it in any way among you as a group?

Mr. MARTIN. Oh, yes. We discussed it. I'm not sure how often or how soon thereafter, but we discussed it on that trip. And I seem to recall that we discussed it the following day because of wondering out loud did it affect Soth Petrasay who had promised us something and then the next day did not deliver on what he had promised the day before. And I wondered if somehow there was a tie-in over what we had learned during the night that affected the list that he was going to give us.

The CHAIRMAN. Did either of you have occasion to tell any other people of what you had learned at that time?

Mr. MARTIN. Any other people?

The CHAIRMAN. At any time.

Mr. MARTIN. Afterwards?

The CHAIRMAN. Yes, what you had learned.

Mr. MARTIN. I feel quite certain that when we got back from that trip, that in subsequent conversations with people at State and DOD and the white House that we visited with and gave reports to and kind of summarized what went on and told them about that, yes.

Mr. MEURER. Yes, that was a figure that we had used quite a bit after 1970, as I recall, too.

The CHAIRMAN. Beyond this particular journey, have either of you been particularly active in POW/MIA affairs in, of course, the last 20 years?

Mr. BRYANT. Are you including all of the activities on behalf of United We Stand?

The CHAIRMAN. Apart from United We Stand.

Mr. MARTIN. I was active in United We Stand through I think September or October on a full-time basis in 1972. I then returned to broadcasting and continued to follow the story and remained on the board of United We Stand until—I want to say late December of 1973, after the men came home. Since that time, only what I have read and I continue to follow with a great deal of interest and every opportunity I get.

The CHAIRMAN. Has anybody ever refreshed your recollection in any way by showing you something or aiding your memory with respect to this meeting in Laos in 1970?

Mr. MARTIN. With respect to that particular meeting? That meeting per se, not necessarily. But I thought I found something that certainly emphasized what we heard in Lieutenant General Vernon Walter's report, which was made March 17, 1976, before the Select Committee on Missing Persons of the U.S. House, and if I may refer to page 9 and quote from that report, in the case of permanent facilities such as those around Sam Neua, the Pathet Lao headquarters, it was possible to verify allegations as to presence of American captives in specific prison locations. And I thought at that time when I learned of that—

The CHAIRMAN. And the number, 25 to 27 is firm in your memory?

Mr. MARTIN. In the mid-20's, yes.

The CHAIRMAN. So there is no question, as both of you sit here under oath before this committee, no question whatsoever in your memory that in 1970 you were told in a briefing from American Government officials in Laos that American prisoners and the number of 25 to 27 were alive and held in captivity in Sam Neua in Laos, is that accurate?

Mr. MARTIN. That's accurate in my mind.

The CHAIRMAN. Mr. Meurer?

Mr. MEURER. Yes,

The CHAIRMAN. Well, let me say, we have had a number of discussions here about what is and what is not evidence. When I have three citizens in good standing come before this committee and under oath testify as to something they personally witnessed and heard with that kind of affirmation, I certainly individually deem this committee to have evidence of something. Where it fits in the larger mosaic is subject to the whole committee's judgment, but I think it is important testimony.

Senator Smith.

Senator SMITH. Thank you, Mr. Chairman. Mr. Martin and Mr. Meurer, I would like to pick up on the same line of questioning. Obviously, this is a very significant meeting, probably more significant today or after the war than you thought it was at the time you were there. I realize it has been 22 years, but if the facts, as you state them, are accurate, and they are being disputed by others in the meeting, as you have been told, if they are accurate, it means that POWs were held in camps, as you say, in the Sam Neua area, maybe other areas. You were told that, and it would mean that somebody would have to followup on that in the intelligence community and give us some idea of what happened to those people. And as far as we know, as far as I know, we have never received such information.

Let me ask you a couple of questions very specifically about the meeting. If you do not remember, say so. If you do—and I know it has been a long time. Was Mr. Petrasz mentioned at all in that meeting by any one of the briefers as far as his credibility or what he had been saying in terms of whether or not he was reliable, knowledgeable, in a position of authority to know what he was talking about when he in fact did indicate publicly and privately to you that he held American POWs in Laos or knew of them being held in Laos? Either one. Mr. Meurer, I am sorry.

Mr. MEURER. You're saying at that meeting? No, there was nothing mentioned about Soth Petrasz at that meeting that I recall.

Senator SMITH. In any other conversations that you had while you were there in 1970 or any other time, was Petrasz mentioned in terms of his credibility or lack of credibility?

Mr. MARTIN. I don't remember his veracity ever being questioned by anyone to me.

Senator SMITH. Was he discussed at all?

Mr. MARTIN. Not to my knowledge. Not that I recall.

Mr. MEURER. No, I met with him several times, and he was kind of the Communist Pathet Lao ambassador there, and I'm sure he

had his job. But to say that he was flaky or anything like that, I don't know.

Senator SMITH. Do you have any doubt in your mind, and you are aware of the constraints that we are under in terms of names, so I just want to remind you of that. Do you have any doubt in your mind who the individual was that briefed you or was at that meeting?

Mr. MARTIN. I only know the name he was introduced to me as and what his position was. An I don't have any doubt in my mind that he was who he was told to us to be. And following the briefing made that more positive in my thinking.

Senator SMITH. By name, you have no doubt that that individual gave his or her name.

Mr. MARTIN. That was the name and the only name I ever heard used by that man.

Senator SMITH. Help me to get an understanding of what this meeting was about. Characterize it for me, if you can, in terms of specific information that was said. You came into a room, and I will let you characterize it, but I mean you come into this room, there are maps present, you are being told you are going to get a briefing on POWs in Laos, you were sent there or Mr. Perot was sent there at the behest of then President Nixon. What was said? I mean, what types of comments were made by the station chief to either of you, or not necessarily to you, but during the meeting? Did they talk about radio transmissions, did they talk about imagery, did they talk about live-sighting reports, did they talk about direct knowledge, personal eyewitness accounts, what type of discussion, if you can remember it, took place to give you the feeling that we were talking about a number of American POWs? Either one of you. Mr. Martin?

Mr. MARTIN. Earlier, as I recall, we had been briefed by Ambassador Godley, what I call an—and got what I call an overview of the situation in Laos. I am not talking about that meeting, but earlier. Prior—shortly after our arrival there. At that meeting, per se, we walked down stairs a few steps to a room as I recall it. And the discussion began as to people being held.

There were some reports of sightings and then it was discussed about how some of these pilots, when they would make a parachute, they would be entrapped in that triple canopy foliage, and some would be suspended there, perhaps not be able to get out of their parachutes. That made it difficult and so on.

And then it got around to this particular thing, that the men that were in Sam Neua were in the caves and there were 20 some-odd. That is what I recall about it.

Senator SMITH. Mr. Meurer, the same question.

Mr. MEURER. I remember it was an impromptu meeting. It is not one that I think was planned, if I recall. I think we were called on relatively short notice, that we would have a special meeting for the information. And I still go back—I recall it being late at night. I am pretty sure of that. I could be wrong, but I am pretty sure of that. And of—we had a party that night. We had 150 press with us on that second trip. And I think we were probably trying to stay away from the press to some degree in that meeting, too.

What went on in the meeting, I just do not recall, Senator. I apologize. I tried during the deposition to construct something that was accurate and I just do not recall. I mentioned in my deposition I was organizing all those things, and I had a lot of things on my mind, because I think we were going to Paris the next day. And I might have not just focused and clicked as much. I did make some—I did make a note, which I later put in a report, and that in essence said, 27 men mentioned by this individual at that particular meeting. So, you know, I had written this down at a later date so, you know, I do not think that I just made that number up if I had pulled it out like that again.

Senator SMITH. Did any of the information surprise you at all? You came to Laos. Did you have knowledge beforehand that we were actively in Laos during the war, or was that a surprise to you?

Mr. MEURER. It was not a surprise to me. I was in the Air Force and I was teaching at the officer training school. I knew about the Laotian operations in 1965, 1966, 1967. I guess that is my point right there. I did know about it, so it did not come as a surprise to me at all.

Senator SMITH. The final question, I ask you the same question I asked Mr. Martin, do you feel certain that the individual who was identified to you as the person giving the briefing, the so-called station chief, is that person? Are you confident that the name that was given to you, there was a name given to you, do you recall it?

Mr. MEURER. The name I wrote down, so I recall the name. Actually, I probably couldn't pick him out in a lineup today, so that is there, too. Let me go back to one point you had made, the comment were we surprised at that time. If you recall, from our standpoint, United We Stand, the POW thing was kind of an unfolding thing, and we were quite novices in 1969 even though I had military experience.

Still, a lot of the information coming out was relatively new. And I think we basically had a premise that there were an awful lot of people. The number at that particular time was 1,200 to 1,500 men, so I think we assumed that there were just an awful lot of people that they had not commented on.

And I think—April of 1970, I think Hegdahl had come out and I think there was a number, 300 or something like that, that we knew were in the camps in the North based on what he had. But we assumed there were a lot more. So, an incremental 27, I think probably at that time, in my mind, was not that surprising.

In the caves of Sam Neua, yes, caves, big areas where they were operating up there that we knew the Pathet Lao—I had read about that, so it wasn't a eureka, but it was still an important number, I thought.

Senator SMITH. Just for the record, I just want to clarify two terms. The word missing as opposed to the word prisoners.

Mr. MEURER. Yes.

Senator SMITH. Were you told at that meeting it was 25 to—this 25 to 27 figure were prisoners?

Mr. MEURER. I do not recall the term prisoners.

Senator SMITH. What term do you recall?

Mr. MEURER. I recall men, I think, being up there.

Mr. MARTIN. Men alive in caves. U.S. servicemen alive in caves. Senator SMITH. Thank you very much.

The CHAIRMAN. Let me ask my colleagues if we can try to move to 5 minutes. I do not want to cut anybody off because in fairness—with others who have had 10 or more, but if we can try to do that, we can come back if somebody has an urgency or so forth, because we do want to hear from Ambassador Godley.

I think that is very important testimony in the context of today. Senator Reid.

Senator REID. Mr. Meurer, in going through your deposition, it is my understanding you had a subsequent meeting several years later with Mr. Murphy in Vietnam.

Mr. MEURER. I got to know Jim, Jim Murphy. I think my first meeting was probably 1969, and every time I would go into Laos, I generally would call him.

Senator REID. So the meeting that is the subject of all this discussion was not the first time you had seen him?

Mr. MEURER. No. I had seen Jim on three or four other occasions prior to that.

Senator REID. So there is no question in your mind that the person you were meeting with was the person that you have told us. So it was not some man with some fake identification.

Mr. MEURER. I do not know that.

Senator REID. But it was the same person you saw time after time, no matter what his name was?

Mr. MEURER. You are talking about Mr. Murphy or the other individual?

Senator REID. Mr. Murphy.

Mr. MEURER. No, no doubt at all. I know Jim.

Senator REID. I see you describe another trip to Laos in September of 1973 with Bull Simons, who was retired military, to meet with contacts as you met with embassy staff. You think you met with Godley and Murphy, is that right?

Mr. MEURER. I do not recall specifically. I think I might have. But we were there and, generally, would make courtesy calls. On several occasions I met with Ambassador Godley. If it was, it was a courtesy call, I think.

Senator REID. Chairman Kerry may have asked you this, but this meeting in 1970 that we have talked to you about so much today, how long did that meeting take?

Mr. MARTIN. I seem to recall something no more than an hour, maybe less.

Senator REID. Late at night?

Mr. MARTIN. Yes, and I seem to recall one of the reasons it was late at night, that there had been this semi-official thing given at the Lang Syne Hotel.

Senator REID. I am sorry, I didn't understand that.

Mr. MARTIN. The Lang Syne Hotel. A party, a lawn party at the hotel, and I seem to remember that it was there that we learned that we could get this information later that evening. And it was following that party, where all of the various embassies were represented, and so forth. It was following that that we went over for the meeting.

Senator REID. Now the meeting that we are talking about was the one where you were told that there were 25 to 27 Americans, and they were being held in caves, right?

Mr. MARTIN. Yes.

Senator REID. That is not something that you heard about on any other trips to Vietnam or any place else?

Mr. MARTIN. We had heard mentions of caves in the Laos area.

Senator REID. Before that?

Mr. MARTIN. Before that, yes.

Senator REID. That Americans were being held in caves?

Mr. MARTIN. There had been information, but it was without validation, that some of the men were being taken to caves. Those that were shot down. But at no time did they pinpoint the area, for example, as being Sam Neua or was there a definitive answer such as this. And, certainly, no definitive answer from someone in position to know.

Senator REID. But this night the location was pinpointed and there were men being held in caves, that is what you were told?

Mr. MARTIN. That is correct, sir.

Senator REID. Mr. Meurer.

Mr. MEURER. Yes, that particular evening the caves were mentioned in Sam Neua.

Senator REID. And at any time subsequent to that have you talked to anyone, either one of you, that gave you information about prisoners being held in caves?

Mr. MEURER. Yes.

Senator REID. When was that?

Mr. MEURER. I think in 1973 when Bull Simons and I were over there on a trip that fall, again, a station chief at Udorn had mentioned it to Bull that they were there. I think they were no longer there at that time. A number, it was not the same number, but it was—there were people there.

Senator REID. Did Mr. Murphy tell you this night where he got this information?

Mr. MEURER. It was not Mr. Murphy who was doing this. It was the station chief.

Senator REID. OK, I am sorry about that. Did the station chief tell you where he got the information?

Mr. MEURER. I don't recall. He might have, but I don't recall.

Senator REID. Mr. Martin?

Mr. MARTIN. I do not recall him saying where he got the information.

Senator REID. Mr. Meurer, my time is fast winding down here. In your deposition, you indicate that you talked to a Jean Cadeux, a Eurasian, who asserted that many Americans were executed in Laos.

Mr. MARTIN. Yes.

Senator REID. And a statement by a Monica Schwinn, a nurse who saw two blacks wearing VC pajamas, who spoke English. Now could you respond to those two?

Mr. MEURER. Yes. Let me go to Monica Schwinn, because actually that was Bernard Neal and Monica Schwinn. It was Bernard Neal that I had talked to, and I said that in my deposition. I just forgot his name the other day.

These were two German nurses actually. I think they were both nurses, one male and one female. And Bernard had come through Dallas about 1974. They were captured by the VC and through a period of many, many months were taken from the south to the north where they were eventually released with everybody.

Bernard had told me on the trip up there somewhere central, near Hue, they had stopped at a VC camp for a period of time. And one evening a couple of Americans, black Americans who were carrying Kalashnikovs and wearing the uniform of the VC, had come in. They had heard them talking. They assumed they were Americans because of the language. That is the only information I had got on that. And I am assuming that—I did not turn that over to the Government. This was 1974, but I am assuming that information was turned over.

Senator REID. Tell me about this Eurasian.

Mr. MEURER. This Eurasian was a man by the name of Jean Cadeux. Jean was an associate of Bull Simons' in 1962, and they were organizing the Kal, which are the mountain people on the Bullivan Plateau. When we went over, Bull remembered Jean, and figured maybe Jean could go back in that area. He was Eurasian. He could move in there pretty good, and see if he could find anything.

We went down to meet with them on the South Coast of Thailand. He agreed to do it. He did spend a month back there and came back and said the information he had that a lot of Americans, toward the end—especially toward the end of the war, if they were caught, they were summarily executed and put in shallow graves. He said that there was a concern about North Vietnamese and the complexity of cadres coming into the villages, and that this was the reason it was done. What number he gave, I don't know. What locations, I don't know.

The CHAIRMAN. Thank you very much. Senator McCain?

Senator MCCAIN. If I could just followup. He stated to you that he believed that the policy was to execute captured Americans?

Mr. MEURER. It was not a Laotian policy, I recall, Senator. It was the villagers. Individual villagers. I think they were a little concerned about North Vietnamese cadres coming in and wanting prisoners, as I understand it. By 1971 and 1972, the North Vietnamese were paying gold to a lot of villagers but they were harassing the villagers, and I think the simplicity of it—this is what I was told, anyway. That is really all I know about.

Senator MCCAIN. Thank you, Mr. Chairman. I have no questions except to restate what I said to Ross Perot this morning. And that is that these three individuals, Mr. McKillop, Mr. Meurer, and Mr. Martin, devoted several years of their lives on behalf of the POWs. They gave up their own families, their own time, their own businesses in behalf of this effort. And, as I mentioned this morning, they were part of a team that Mr. Perot assembled, and I still believe was directly responsible for the much better health and perhaps the survival of some of the POWs as a result of their efforts to publicize the plight of the POWs and their efforts to bring them home. And I think it is very important for the record that they also be recognized for their efforts for which I personally, and I know I speak for the POWs, am very grateful. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator McCain. Senator Grassley.

Senator GRASSLEY. Mr. Chairman, I do not have any questions of this panel.

The CHAIRMAN. Thank you very much. Senator Kassebaum.

Senator KASSEBAUM. The only question I have, and perhaps it was asked earlier of Mr. Perot, is regarding United We Stand. That was set up as a nonprofit organization to deal with the 1969 and 1970 trips and any following trips, I assume.

Mr. MARTIN. Actually, it was an organization that was set up to focus attention on issues of interest and to gather material and information and educate citizens about the problems, mutual problems in a nonpartisan way, nonpolitical way. And shortly after it was organized, it focused the attention on the POW/MIA, and to my knowledge, as long as I was involved in United We Stand, as its president, that was our center focus.

Senator KASSEBAUM. So, it was organized not just particularly—it did not start out as an organization focused just on POW/MIA?

Mr. MARTIN. It was not stated in its articles as being thus. But rather to take issues of interest public—to the public and educate them.

Senator KASSEBAUM. Did it continue on after 1973, or did it terminate?

Mr. MARTIN. I don't know the answer to that. I know it continued through 1973.

Mr. BRYANT. Senator, it was finally dissolved, I believe in 1978, but the level of activity after 1973 was at a much lower level than it had been in the period from 1969 through 1973.

The CHAIRMAN. The record should show that Mr. Bryant is counsel for Mr. Perot and the other gentlemen here. I did not introduce him at the beginning. And, perhaps, the record could reflect that at the appropriate time.

Mr. MARTIN. Mr. Chairman, if I might make one correction. Senator Brown earlier stated, or it might have been Senator Smith—Senator Smith stated that we made that trip in April at the behest of President Nixon. That is not quite true. We made that trip in behalf of United We Stand and on behalf of POW families.

It was an idea of Mr. Perot in order to keep the spotlight focused. It was not on instructions from anyone in Government. We made it because United We Stand thought it would be good to help solve this problem.

The CHAIRMAN. You raise a question when you say that. I remember somewhere in the deposition Mr. Perot saying that there were meetings with Mr. Cline at the white House and Mr. Chuck Colson. Is that accurate? Do you recall those?

Mr. MARTIN. I do not recall those. I am not aware of those. Those meetings could have been made earlier.

The CHAIRMAN. Do you recall them, Mr. Meurer?

Mr. MEURER. Not Mr. Cline. Colson, I vaguely remember meeting.

Mr. MARTIN. I know that he met with Mr. Cline. Mr. Cline would have told me later about meeting with Mr. Perot, but I am not sure of the timeframe on that, sir.

Senator SMITH. I think the reason I framed the question in that way was because, as far as I understand it, and you know more about it than I do, the embassy cables gave your group an official status. Justifiably, I would say on behalf of the families, but it did give them that. That is the reason why I implied President Nixon, but I stand corrected on that.

The CHAIRMAN. Senator Kassebaum, have you completed your questions? I did not mean to interrupt you.

Senator KASSEBAUM. Yes.

The CHAIRMAN. Before we move to Ambassador Godley and Mr. Murphy, let me ask you gentlemen, do you share Mr. Perot's conviction that someone is alive today? Do you, Mr. Martin?

Mr. MARTIN. Yes, I do.

The CHAIRMAN. Do you, Mr. Meurer?

Mr. MEURER. I have mixed emotions, Senator. I share his conviction that there was somebody left in 1973. I firmly feel that there were some people there.

Mr. MARTIN. I should change mine.

Mr. MEURER. Whether they were POWs or people who had opted to stay for various reasons, like we knew about Garwood. But to say that there are still people alive today, I find it difficult. In my testimony, I had commented about a meeting I had—in my deposition—a meeting I had with a man who was head of security, who was one of the top people for Chiang Kai-shek and provided security for a big ship builder out of Hong Kong. I always recall the conversation I had with him after I went over the issue of the POWs in 1973 and he indicated that, in essence, even though they are out, the war is not over.

Therefore, they are going to keep some people, and you will never know about it. And they will be an asset. As long as they are an asset they will keep them alive. But once they cease becoming an asset, they will get rid of them, and you will never know about it.

And that has always stuck in the back of my mind. And the question is, are they an asset now or not. I don't know the answer to that question.

Senator SMITH. Who said that, Mr. Meurer?

Mr. MEURER. A man by the name of Mr. John Tian Mu, who was a military officer in Chiang Kai-shek's military, responsible for crossing over to China to pick up Chinese soldiers, torture them, find out information. He became head of security for a man by the name of C.Y. Tung in 1973.

The CHAIRMAN. Mr. Martin, you share the same opinion, then?

Mr. MARTIN. At the time I left I was not as close to the situation but there was no doubt in my mind that in 1973 and as late and 1976 and 1977 when I was still staying in touch with them, I thought that there were POWs still there. I think there were POWs left behind. Whether they are there today and what their status is today and what their condition is today I am not in a position to say.

The CHAIRMAN. I think those are candid assessments. Let me ask you also the same. Assuming, and I have no reason to assume otherwise, that you have these 25 to 27 people mentioned to you in caves, this is 1970, correct?

Mr. MARTIN. Yes.

The CHAIRMAN. It would have been 3 years before they would have been transferred, conceivably, to North Vietnam for repatriation. Or repatriated through the Laotian return. In fact that is how they were. The 10 who came back were 9 Americans and 1 Canadian.

Mr. MEURER. Were they held in the caves?

The CHAIRMAN. They were initially, but they were then transferred to North Vietnam. They were, in fact, captured by North Vietnamese and reputed to be held by the Pathet Lao, but under the control—as you know, most of that northern area was really managed and run by the North Vietnamese. And in fact, there were North Vietnamese Army units present, as you have said.

My question to you then is, I suppose you would accept the possibility—not the probability, but the possibility that, if there were 25 to 27 and 10 returned, 15 could have died in the intervening years, or been killed, or tortured, or whatever.

Mr. MARTIN. Well, I would accept it more readily had it not been for General Walters' report on page 9 where he says, in 1973, he mentions the men being in Sam Neua at that time and confirmed as being there.

The CHAIRMAN. That is a good point. I take it that also the Eagleburger letter and the DIA assessment is really referring to that period of time, is that accurate? The 1973 period?

Mr. MARTIN. That is my interpretation, yes.

The CHAIRMAN. I think that is a fair interpretation. Did you want to add to that, Mr. McKillop?

Mr. McKILLOP. Yes, I wanted to add my position. To the extent that I am still firmly convinced as of today that there are still living prisoners over there.

The CHAIRMAN. Over where?

Mr. McKILLOP. Up in the Indochina area.

The CHAIRMAN. In Vietnam? Laos? Cambodia?

Mr. McKILLOP. Most likely in Laos, some in Cambodia. I do not have any evidence as you might like to have this morning, but on the basis of the many visits, the various people that we were in touch with—

The CHAIRMAN. Let me come back, if I can, Mr. McKillop. I do not mean to cut you off, but I want to try to keep things moving here, and moving crisply if we can. Mr. Meurer has put forward what a number of people have heard and hypothesized as this question of asset. If there is a value to them, they might have been alive.

But if you reach a point where they might have become a liability, it is hard to understand why the Government would keep them alive to deal with the problem. Can you tell us how you would view Vietnam being advanced today, how Vietnam would be advanced today by having people alive? How would their strategy, their goals of normalization, of joining the civilized world, and so forth, how would that be advanced by having people today alive?

Mr. McKILLOP. I think in Vietnam they have diminished asset value. But certainly Laos would still have reason and most likely Cambodia would.

The CHAIRMAN. Question mark. Cambodia with Pol Pot. It is very hard to believe that any foreigner could conceivably have survived through the Pol Pot regime. Can you suggest to us how American prisoners, of all people, might have survived Pol-Pot?

Mr. McKILLOP. On the contrary, I think they are so far apart, there are at least three factions over there, that whatever faction may have them is certainly not going to give them up to another faction, or give them up to anybody.

The CHAIRMAN. In 1975 to 1979, there was only one faction. Only one faction. Nobody survived who was a foreigner at that period of time. I am sure you are familiar with that period. In fact the DIA and others and, in fact, the Cambodian Government has been very forthcoming.

We really do not have a live-sighting report of significance. We have a couple, I think, that exist that they are going to follow up on. Anyway, I do not want to debate that with you.

Let me come back to one other question. On the business dealings, you know Foreign Minister Thach. I know Foreign Minister Thach. He is a very wise and very schooled diplomat. He does not engage in things lightly. He took great risks. He went on the line in the relationship to the United States in seeking the withdrawal of his country's troops from Cambodia, and he went on the line in the entire POW/MIA issue and, in fact, the degree to which he went on the line, and China's fears of him cost him his job, ultimately.

When he gives to you a document to deliver to Mr. Perot offering a business relationship, he clearly saw that as advancing his interests and the country's interests as foreign minister, would you agree?

Mr. McKILLOP. Except that I think it was driven more by the other faction than it was by Mr. Thach.

The CHAIRMAN. Did you negotiate with him or the younger group?

Mr. McKILLOP. I was talking to Mr. Thach. I was relating to Mr. Thach. But there was always the younger faction that was coming in with a different position or different, more urgent—

The CHAIRMAN. But they knew, all of them, that you were interested in POW/MIA, correct?

Mr. McKILLOP. Without question.

The CHAIRMAN. Did he, in the course of offering this deal, suggest to you that if you followed up on it you would, in fact, receive something in return with respect to POW/MIA?

Mr. McKILLOP. No, he did not.

The CHAIRMAN. So, there was not POW/MIA quid pro quo on this?

Mr. McKILLOP. No, there was not.

The CHAIRMAN. Does that not suggest to you, and Mr. Perot, now you are back here, it raises a huge issue in my mind about the capacity for this negotiation process you talk about. Clearly your sole interest, Mr. Perot, and I will wait until you come back, but I will just let you think about it maybe, your interest was POW/MIA and they knew that. To be proffering you some kind of business relationship without the offer simultaneously of people seems to defy the notion that there is any way down the road to get them to

make that kind of offer now. I may be wrong, and you may have a response to that. But it is a hard one to understand.

Senator SMITH. I have one clarification I would like to make in regard to the so-called 9 or 10. I think one died, so there were really only nine who came back, captured by the North Vietnamese in Laos and released. I think the chairman mentioned, with your figure—if you will look at the figure of 25 or 27, could any of those be some of those people?

It is my understanding that most of these 10, I do not know about all, but most of these were shot down in the mid-1960's and moved immediately to Vietnam, which would seem to predate the time period you are talking about. I would have to check it, but I think that that is accurate.

Just one question to you, Mr. McKillop. In terms of following up on what the chairman just said in terms of signals or possible signals that may have been sent to you by any reference to business, could there be assets in the sense that by allowing occasional evidence of live-sighting reports to surface that the Vietnamese were trying to send us this kind of a signal that they wanted to negotiate? Does that theory—and it is a theory, that is all it is, does that make any sense to you?

Mr. McKillop. No. I had very few signals sent to me concerning Vietnam itself or having sightings in Vietnam. I had very few signals coming that way. Bear in mind that we got into their economic situation as a matter of interest and as a matter of developing our relationship. And it was a fine thing as far as it went. But when it started to develop into a personal invitation with all the significances of profitmaking and so forth, that is where I had to get off. And your earlier question of, doesn't this show that negotiation doesn't work—

The CHAIRMAN. I did not say that. It does not say that it does not work. It suggests that they had nothing to offer. It suggests that they were not willing to come through even to an independent personality like Mr. Perot whom they would have had reason to trust on the subject of MIA/POW, because he was so clearly moving down a road they wanted to move down, as we will see. Or as we see in the documents which Mr. Perot is going to discuss.

Let me suggest if I can, with the consent of my vice chairman, that we move to the next panel. We can pick up on this if we need to when Mr. Perot comes back. But we do want to get Ambassador Godley and Mr. Murphy in as quickly as we can.

Mr. BRYANT. Senator, do you know how long?

The CHAIRMAN. This will be a brief panel. I suspect it will be half the time we just took. There are two people, and it really centers around the meeting alone. Ambassador Godley—oh, while we change here, the stenographer deserves and needs, literally, a 5-minute recess. We stand in recess for only 5 minutes.

[Recess.]

The CHAIRMAN. The committee will come to order. Please, we have a fair amount of work to do. I have offered Mr. Perot the opportunity to proceed and, with characteristic graciousness and with extraordinary generosity with his time today, he would like to hear this panel, and then he will come back on. So we are grateful for that fact and impressed by his willingness to be so available here.

Mr. Ambassador and Mr. Murphy could I ask you both to rise so I can swear please.

Would you raise your right hand? Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ambassador GODLEY. I do.

Mr. MURPHY. I do.

The CHAIRMAN. Mr. Ambassador, we recognize that you are speaking with a little bit of difficulty, and I hope—if you talk right into the microphone, I think that should facilitate. If you get up very, very close, but you are probably a better judge of that than we are. Do you want to make any statement at all or just submit to questions?

TESTIMONY OF McMURTRIE GODLEY, U.S. AMBASSADOR TO  
LAOS, 1969-1973, MORRIS, NY

Ambassador GODLEY. No, sir.

The CHAIRMAN. Mr. Murphy, do you have any statement you would like to make?

TESTIMONY OF JAMES MURPHY, FORMER U.S. EMBASSY  
POLITICAL OFFICER, CALUMET, OK

Mr. MURPHY. No, I have prepared a statement for the committee, and I haven't.

[The prepared statement of Mr. Murphy to follow:]

PREPARED STATEMENT OF JAMES MURPHY

In response to the questions posed by the committee in a letter to me dated July 30, 1992, I have the following observations:

I joined the Lao Desk at the State Department in June, 1966, and was assigned to the U.S. Embassy in Vientiane, Laos, in July, 1967. I served in Laos about 3 years, took home leave and was assigned to INR/REA/SEA at State in September, 1970. Around March, 1971, I went to work for Frank Sieverts, a Special Assistant to the Undersecretary of State for POW/MIA Matters. Almost immediately after the release of NVA and U.S. prisoners of war, early in 1973, I joined the Cambodian Desk where I stayed until reassigned to FSI for mid-career training in July, 1974. I recall files on POW/MIA "sightings" at the Lao Desk, in my office in Vientiane, and, of course, at Frank Sieverts' office at State. Other U.S. agencies had these reports as well as other information.

Activities to confirm the whereabouts and conditions of American POWs during the war had been under way long before I joined the Lao Desk in June, 1966. They continued after I left Vientiane. I was not involved with any activities or operations to secure such information after the war.

The Pathet Lao had admitted to holding some Americans before I joined the Lao Desk. Other than that evidence, I gave little weight or credence to statements by Soth Pethrasy about American POWs. I am confident that Mr. Pethrasy listened to radio broadcasts from the Pathet Lao zone. Almost daily, these broadcasts claimed that U.S. planes bombing Laos were shot down by the PLA. The FBIS translated these broadcasts and almost every day I read these translations carefully. I recall trying to link these PL claims to some known U.S. Air force missions over Laos. I discovered no correspondence between PL claims and real events. I also learned that U.S. military officials were monitoring these claims for the same purposes. I later understood that these efforts produced little or nothing in terms of useful evidence of the survival of U.S. airmen downed over Laos.

I have little or no knowledge of discussions about the POW/MIA issues during the 60-day implementation of the Paris Peace Accords. The Department of Defense and the State POW/MIA offices earlier had provided U.S. negotiators all of our information about this issue along with recommendations as to what agreements the U.S.G. negotiators should try to obtain about the question. I add two impressions: First, the issues was of highest priority to U.S. negotiators; and, second, Frank Sieverts and Roger Shields (DoD) appeared satisfied with the way their proposals were treated. I

recall that delays in the POW exchange took place. These were resolved but I don't know how they were settled. A few days after the POWs were exchanged, I was transferred to the Cambodian Desk.

During Mr. Perot's visits to Laos, I was the Embassy Control Officer (a euphemistic term for baggage handler and expeditor). As we at the U.S. Embassy understood the messages from Washington, we were supposed to help Mr. Perot, but he was a private citizen and hence had to pay for the costs he incurred during his visit.

The secretary of the Political Section and a junior Foreign Service Officer proved enormously efficient in helping on the first visit during which some expenses were incurred in handling the media covering the Perot visit. We sent Mr. Perot the bills for these costs and he paid them. We reported to Washington on the Perot visit. I drafted some of this reporting. I understand that the Committee has all of these reports. As I was reminded by the Committee's staff, Mr. Perot returned to Laos with family members of some U.S. Air force men downed over Laos. Perot and some of these ladies met with the PL representatives who lived in a compound across the street from the U.S. Embassy. Mr. Perot and some of the family members met with U.S. officials. I probably would have reported to the ambassador and Washington on any such meetings.

My reporting would give the Committee a much more accurate and detailed impression of my views than I can reconstruct 22 years later. As I recall, also, Mr. Perot and his assistants were very friendly, scrupulous in paying any bills, and quite appreciative of the Embassy's help. During one or both visits, Mr. Perot also met with officials of the Royal Lao Government. I assume the Embassy helped get these appointments.

Finally, the Committee asks if "Embassy personnel, including CIA officials, had intelligence information sufficient to track U.S. personnel and to estimate the number of U.S. POWs being held in Laos?" The short answer would be "no." Reports of "informers" strongly suggested that some U.S. citizens were captured alive. Most of us involved with this issue guessed, or "knew", there were survivors of shoot-downs. We did not know if they had survived very long after the shoot-down, although some other later reports seemed to confirm that some may have done so. We did not have any certainty about where they were or how many were being held. Our own intense desire for any news about U.S. POWs may have distorted any information we did obtain. As is true elsewhere, some people in Asia tend to tell you what they think you want to hear. As I told families of U.S. citizens missing in Laos (shortly after the POW release), I do not believe any U.S. citizen was held against his will in Southeast Asia.

The CHAIRMAN. All right. We thank you for joining us today. Obviously the critical question on the committee's mind is to try to focus on the visit of Messrs. Perot, Martin, and Meurer to Laos in 1970. Do you both recall that visit?

Ambassador GODLEY. Senator, I must say, I am very confused.

The CHAIRMAN. Let me just ascertain for the record, you were ambassador during what years?

Ambassador GODLEY. 1969 to 1973.

The CHAIRMAN. So, you were ambassador in Laos during a good period of the war—of the nonwar war.

Ambassador GODLEY. Yes, sir.

The CHAIRMAN. And Mr. Murphy, your role was what?

Mr. MURPHY. I was in the political section. I was one of the officers in the political section. I worked for Nick Galiotis and, later, Charles Rushing. And, at the time my boss was Charles Rushing, who reported to the ambassador. By the time Ambassador Godley arrived, I had become more identified with POW/MIA questions.

The CHAIRMAN. Were you in your embassy in Vientiane tracking American prisoners and trying to ascertain a status of American soldiers lost during the course of the secret war in Laos?

Mr. MURPHY. I was not doing that.

The CHAIRMAN. Was the embassy doing that?

Mr. MURPHY. Well, I am trying. The embassy was—through the intelligence community—the embassy had that as a matter of fact.

And that was a standard. You have a list of things you are supposed to be looking for and that was one of the standard things. And that had been there before I got there and after I left.

The CHAIRMAN. Were you aware as the political officer, in the course of your meetings with the ambassador and others in the intelligence community that Americans had been lost fighting over Laos and in Laos?

Mr. MURPHY. Oh, yes. The Pathet Lao—let me try to make one clarification. This was not a secret war in the sense that the press kept referring to it as a secret war. The North Vietnamese, as you have correctly remarked, had 45,000 to 100,000 regular army troops in Laos in violation of their written agreement of 1962.

We, in the process of saying, describing how we were keeping track of this, had said we would fly armed reconnaissance over Laos and, if fired upon, they will fire back. Therefore, there was no particular embarrassment or sensitivity about having a pilot lost over Laos, in my mind.

The CHAIRMAN. But let us be a little bit more forthcoming.

Mr. MURPHY. Furthermore, the Pathet Lao—

The CHAIRMAN. We were dropping bombs?

Mr. MURPHY. Oh, sure.

The CHAIRMAN. That is not just flying reconnaissance.

Mr. MURPHY. I am talking about the sensitivity of having a missing pilot. If you have reconnaissance, armed reconnaissance overflying—flying over a country, you can lose pilots.

The CHAIRMAN. But do not suggest to the committee that the reason we were losing pilots and were not surprised about it was simply because we were flying reconnaissance.

Mr. MURPHY. Oh, no. We were bombing.

The CHAIRMAN. We were bombing.

Mr. MURPHY. We were bombing the Ho Chi Minh Trail.

The CHAIRMAN. That is a war.

Mr. MURPHY. And in other parts of Laos, but mostly the Ho Chi Minh Trail.

The CHAIRMAN. So, in point of fact, we were losing people?

Mr. MURPHY. Yes.

The CHAIRMAN. We lost how many in total? 600 and some?

Mr. MURPHY. I don't recall at this time. I had all that information year ago. I simply don't have it now.

The CHAIRMAN. Well, do you specifically recall that when you were in the embassy, your embassy had knowledge of American prisoners of war held by the Pathet Lao?

Mr. MURPHY. I specifically recall intelligence reports stating that someone, an informant, unidentified, but a native, not an American, claimed to have seen live Americans captured. That would not be surprising because the Pathet Lao had broadcast saying that they held Americans prisoner.

The CHAIRMAN. Mr. Ambassador, or Mr. Murphy, or both, did you have an intelligence assessment that Americans were, in fact, held during the period 1969 to 1973?

Ambassador GODLEY. Sir, we had proof, as much as you can, that Americans were taken prisoner. Where they were held, and by whom they were held, there was a good deal of question. I personally was convinced that there were no Americans held by the

Pathet Lao, and the Americans that were prisoners were prisoners of the North Vietnamese units in Laos or had been taken back to North Vietnam.

The CHAIRMAN. Do you concur, Mr. Murphy, with that assessment? Is that also your memory?

Mr. MURPHY. My memory at that time, in 1970, was that one of the reports, there may have been more, one of the intelligence reports seemed plausible that live Americans might have been held in the caves near Sam Neua? It seemed, I do not recall, and the committee should know what was the date, not of the report, but the date of the sighting. When they were there, I do not recall.

The CHAIRMAN. Is that the only report in the entire time you were there of Americans being held in Laos?

Mr. MURPHY. It was one of the most specific and detailed, and I think that is why it stuck out. There were other reports. I recall a file. I am trying to remember the size, I can't even do that.

The CHAIRMAN. Do you recall the period of time?

Mr. MURPHY. Do I recall the period of time?

The CHAIRMAN. That that specific report was made.

Mr. MURPHY. I do not. It had to have been before 1970, but I don't recall.

The CHAIRMAN. Were either of you, or both of you present during the briefing in April 1970 which Mr. Perot, Mr. Meurer, and Mr. Martin have all referred to?

Mr. MURPHY. Yes, I think I recall being at such a meeting. I had a great deal of difficulty with this because initially I had the whole darn two trips confused in my mind. As my deposition shows, it just was a jumble. And I had a definite recollection of a meeting, this famous meeting—of not even Murphy and Tom, who I know very well, and certainly are not making things up—nobody is lying in this. I recall that meeting, but I didn't have it directly associated with this briefing, but I guess it was. Now, I guess it was.

#### RESPONSE BY JAMES MURPHY

My response to a question about a briefing of Perot and his assistants was confused. I believe my deposition was that Perot wanted to meet the Station Chief and that I arranged such a meeting. Today just before I answered questions, Tom Meurer told me there was a "briefing." I do not doubt them but I did not recall such a briefing during my deposition and specifically I have no recollection of the Station Chief giving a briefing. Maybe he did; maybe someone did, but I could not tell the Committee I remembered the Station Chief giving a briefing at any meeting if one took place.

The CHAIRMAN. Do you recall the number of 25 or 27 prisoners being held in caves in Sam Neua as having been briefed to them by the station chief?

Mr. MURPHY. I do not recall that number.

The CHAIRMAN. Do you recall any number whatsoever?

Mr. MURPHY. I would just—just to add to the confusion, I had in mind 18 in one report. Now, I don't know whether that was briefed to them or not. And then when I talked to your staff and was giving my deposition to your committee, the lawyers and so forth, I have now been trying to think about this for all this time. But I just cannot get it sorted out in my mind. Although, of course, I was quite interested, and I later worked in POW/MIA affairs. And I had lists of everybody missing and all that. I just cannot recall.

And on that particular meeting, I cannot recall at all a number being briefed. I had in mind, as I said, on this particular report, I had in mind a different number.

Ambassador GODLEY. I do not believe I was at that briefing. I never heard until today of the figure of 25 Americans held in Sam Neua.

The CHAIRMAN. You have never heard that number until today?

Ambassador GODLEY. According to my recollection 20 years ago. I mean, my conviction was that, as I said earlier, no Americans were held by the Pathet Lao. But Sam Neua was, of course, the Pathet Lao, quote, capital, unquote. So I would have seriously questioned 25 or 27 men held there. One, how did we know that figure? I do not think we ever had such good intelligence. Two, had that been the case, the station chief certainly would have informed me.

The CHAIRMAN. Let me understand again, the date you departed from Vientiane was what, 1973?

Ambassador GODLEY. Yes, sir.

The CHAIRMAN. Were you there through the Paris Peace Accords?

Ambassador GODLEY. I was there for most of them, yes.

The CHAIRMAN. So when Secretary Eagleburger sends to the Secretary of State—strike that. When he sends—he is Assistant Secretary of Defense and he sends to the Secretary of Defense a memorandum in which he is citing the inadequate accounting for prisoners by the Lao, do you concur that there was an inadequate accounting by the Lao?

Ambassador GODLEY. I'm sorry, would you repeat that question?

The CHAIRMAN. In 1973, at the time of the Peace Accords, Laos was not a partner to the peace negotiations, correct?

Ambassador GODLEY. (nods in the affirmative)

The CHAIRMAN. The Peace Accords signed by Vietnam were not signed by Laos. In a specific memorandum written by Lawrence Eagleburger, then Assistant Secretary of Defense.

Ambassador GODLEY. Eagleburger Secretary of Defense, no, sir. Do you mean somebody else?

The CHAIRMAN. He was the Acting Assistant Secretary. Lawrence Eagleburger was the Acting Assistant Secretary.

Ambassador GODLEY. Of State?

The CHAIRMAN. Of Defense.

Ambassador GODLEY. OK.

The CHAIRMAN. And he wrote a memorandum to the Secretary suggesting that after the recovery of the last prisoners from North Vietnam Hanoi should be advised unequivocally that we will still hold them responsible for the return of all POWs being held in Indochina, and once again North Vietnam should be clearly informed that an accounting for 10 men out of a total of more than 350 from Laos is considered unacceptable. Do you recall pressing that issue with the Pathet Lao?

Ambassador GODLEY. No, sir, I do not recall it.

The CHAIRMAN. It is possible, and again we have not heard from Lawrence Eagleburger yet, that they were simply reacting to statistics, which he mentions in his first paragraph suggesting that a 2.5 percent accounting in contrast to the 45 percent accounting which

he cites for North Vietnam is simply inadequate, and because so many people were lost, perhaps there should have been more.

It may not be that it was based on a lot, except that he does mention specifically an assessment that some people were still being held.

Now, do you have a recollection of that?

Ambassador GODLEY. No, sir, I do not.

The CHAIRMAN. Do you, Mr. Murphy?

Mr. MURPHY. I left Laos on June 1970, shortly after the second Perot visit, in fact, so that was in April. I left in May and June, and then I was back, and later in 1971 I was on the POW/MIA desk—office. To answer your question directly, no, but then I probably wouldn't have, because just as soon as Operation Homecoming ended, I was transferred to the Cambodian desk and so totally out of the circuit on that.

The CHAIRMAN. Let me read this to both of you. This is 28 March, or after 28 March, 1973, Larry Eagleburger, a strong demarche be made to the ranking LPF representing at Vientiane by the U.S. Ambassador personally—that's you—and he references you earlier in this, and he says this initiative should plainly and forcefully assert that the United States will no longer play games with the POW issue in Laos.

The LPF should be told that we have reason to believe they hold additional U.S. prisoners and we demand their immediate release as well as an accounting and information on all those who may have died.

Finally, the LPF should be advised that failure to provide a satisfactory answer could result in appropriate United States actions.

Now, do you have a recollection of what the rationale was for that?

Ambassador GODLEY. I do not.

The CHAIRMAN. You do not?

Ambassador GODLEY. The only thing, I might wonder if Eagleburger was Assistant Secretary of Defense—I would have received instructions from the Secretary of State, not the Secretary of Defense. I just wonder if any such instructions were issued by State.

The CHAIRMAN. I might add that he simultaneously wrote a memorandum to Secretary Kissinger, who was negotiating this at the time, and he said to Secretary Kissinger almost the same thing. In fact, he said—it's verbatim, the same paragraph I just read. It's a shortened memo.

As an accompanying measure, Ambassador Godley should be instructed to lean hard on Souvannaphouma, and tell him to let the LPF know that political concessions in the new Provincial Government of National Union will be next to impossible without resolving the POW question. You have no memory of that instruction?

Ambassador GODLEY. No. I wonder if the State records indicate that such a telegram was sent to me.

The CHAIRMAN. Well, at this point, gentlemen, neither of you can say that Messrs. Meurer, Perot, and Martin, didn't hear what they have told this committee they heard, is that accurate?

Mr. MURPHY. No, I cannot say that.

Ambassador GODLEY. I cannot guarantee it, because I was not there. I do, however, believe in my own mind that such a statement

would not have been made, because I don't think it's accurate to say that 25 or 27 Americans were detained in Sam Neua.

The CHAIRMAN. Why is it not accurate? Why do you say that?

Ambassador GODLEY. (1) How did we know it? (2) I was always under the impression and convinced that Americans taken prisoner in Laos were handed over to the Vietnamese, or perhaps to better rephrase that, American prisoners captured in Laos were captured by the Vietnamese. The Pathet Lao military establishment existed on paper.

The CHAIRMAN. In point of fact, isn't it true, Ambassador Godley, there really wasn't much of a Pathet Lao organization? It was a very low number of people. Isn't that accurate, Mr. Murphy?

Mr. MURPHY. That's certainly correct.

The CHAIRMAN. But the one place they did hang out was Sam Neua, was it not?

Mr. MURPHY. That's correct.

The CHAIRMAN. So it's accurate that while they were small and few in number that they did have a presence with their headquarters in Vientiane and Sam Neua.

Ambassador GODLEY. Yes. Their headquarters in Vientiane were under Soth Pethrasy.

The CHAIRMAN. Would it not be reasonable to assume, or not even to assume, but would it not have been reasonable that they would have sought to hold some American prisoners in order to have leverage to make the United States negotiate with them and to deal for their interests?

Ambassador GODLEY. No, sir, I do not believe so.

The CHAIRMAN. Why?

Ambassador GODLEY. The North Vietnamese so dominated the Pathet Lao that—

The CHAIRMAN. You don't think they could have pulled that off? Do you concur in that, Mr. Murphy?

Mr. MURPHY. If the North Vietnamese had wanted the prisoners, they would have had them. It was a colony.

The CHAIRMAN. What about what we were told by Minister Souvan when we were there recently, that the soldiers would kill these people, they were dropping bombs on them, they were angry, they popped out of the sky and landed, and we were told they were killed? Do you accept that?

Mr. MURPHY. That was always a worry of mine.

The CHAIRMAN. Well, was it a reality?

Mr. MURPHY. I don't know whether it was a reality or not.

The CHAIRMAN. You never learned of that through the intelligence network?

Mr. MURPHY. I did not learn of a pilot being shot down being murdered by villagers. I did not hear that. I heard it here today.

The CHAIRMAN. Senator Smith.

Senator SMITH. Just picking up on that, Mr. Ambassador, you were there from 1969—I know you have difficulty, and I'll try to give you questions that you can answer yes or no, but you were there as the ambassador from 1969 to 1973, correct?

Mr. Eagleburger writes in this memorandum—and Senator Kerry just quoted very liberally from it, and I have a copy that's

cut off on the edge and I'm having difficulty reading it, but let me just try one line here.

The intelligence indicates the North Vietnamese Pathet Lao forces have captured U.S. personnel since 1964, and the LPF have provided no prisoner of war casualty—I'll just assume the word information, other than the ten names listed on 1 February that were released.

I mean, I'm having trouble understanding, and it really is no offense intended at anyone here, but the bureaucratise in this business just drives me up the wall.

We have four individuals, highly respected individuals who have led lives of their own, entirely unrelated to POWs, who come in. Three individuals said they had a meeting in Southeast Asia in Southeast Asia in 1970, that a certain series of events took place. They've all testified to it. They have some recollections 22 years later.

We have the greatest intelligence collecting data in the world at the time, placing our resources on collecting data about prisoners, and we've got the Assistant Secretary of Defense writing a memo, just about ready to start the war again because we don't get them back, and you guys don't know anything about it, and I just don't understand it, and frankly I don't believe it.

Now, what did you guys know? What kind of intelligence data were you getting in there in the 1970's? I don't care whether they were in Sam Neua or any place else, what kind of intelligence data were you getting?

There's no way that the Secretary or the Assistant Secretary of Defense writes a memo like that that goes to the President of the United States risking starting a war again, risking bringing home 590 or so POWs—there's no way he writes that memo to the President, or indirectly to the President, without some knowledge, and I haven't heard anybody say there is any knowledge.

To hear you guys talk, there's nothing available. There's no intelligence out there. We don't know if anybody's there, and that's not what three individuals who came and heard a briefing are saying to me.

Now, what knowledge did you have in the intelligence community about prisoners in Laos during the war?

Ambassador GODLEY. I think I can perhaps shed some light on that. We had very little information about prisoners of war. We knew when U.S. aircraft were shot down or missing. We rarely had any indication of an open chute.

Most of the aircraft that were shot down ended up in flames. Occasionally, chutes would be opened, and occasionally we would rescue those men either by USAF SAR, search and rescue efforts, or by Air America helicopters. That related to Northern Laos.

There, our basic information obviously came from the Air Force. In the Ho Chi Minh Trail area we had very little responsibility. That was Saigon's war, and our war was Northern Laos or the strip west of the Ho Chi Minh Trail area, so that as far as ground forces were concerned and POWs or MIAs in Southern Laos, that was MAC/SOG or MACV's area of operation, over which I had very little control or responsibility.

Senator SMITH. Captain Hrdlicka—his wife I believe is here with us today—was captured in Laos. His picture was in Pravda Newspapers. He was a POW who was held by the Pathet Lao. We had intelligence to that effect, yes or no?

Mr. MURPHY. Yes. We had Pathet Lao broadcasts, I think, to that effect, stating that they had captured him.

Senator SMITH. Mr. Murphy, if you can answer this question, I'd appreciate it, make it a little easier on the ambassador. Did you have any information—did your offices have any information on the Baron 52, any intelligence data on the Baron 52? You were there only until 1970.

Mr. MURPHY. No. That doesn't ring a bell with me.

Senator SMITH. Mr. Ambassador, had you left by April of 1973?

Ambassador GODLEY. I'm sorry?

Senator SMITH. Were you in Laos in April of 1973?

Ambassador GODLEY. I think I was. I left in April 1973.

Senator SMITH. Did you have any intelligence on that aircraft, on pilots missing from that aircraft, the EC-47?

Ambassador GODLEY. No. I don't recall now, frankly.

Senator SMITH. Let me just ask one final question of each of you. Did you set the meeting up? Who set the meeting up with Mr. Perot and his associates? Was that you?

Mr. MURPHY. It would have had to have been me. It would have had to have been me. I was control officer.

Senator SMITH. Do you agree or disagree with the characterization that the station chief who we cannot name was present at that meeting?

Mr. MURPHY. I'm not positive. I know, and I've stated, that Mr. Perot met the station chief. I think I introduced them.

Senator SMITH. But not at that meeting, is that what you're saying?

Mr. MURPHY. Well, you see, I'm having trouble getting the question down in my mind about this meeting and briefing. I don't doubt Tom and Murphy Martin. I don't have any ax to grind. I'm just having trouble getting it fixed in my mind.

Senator SMITH. You stated in your deposition to the committee that you recalled setting up a meeting with Mr. Perot's delegation and the CIA station chief. You also described the room at the embassy the same way Mr. Perot described it, by the way, independently.

In other words, there was a map and that the map, according to your own statement, had suspect POW camps on it, and the reason why those camps were plotted on there was to avoid any mistakes of our aircraft flying over the area. Did you say that in your deposition?

Mr. MURPHY. I said Mr. Perot. I don't recall saying anything about the delegation, because until today I had forgotten that Tom was there.

Senator SMITH. You're remembering about a lot of detail about a meeting, and you can't remember one of the major participants, who would be the station chief.

Mr. MURPHY. I'm not denying that he was there, or anything at all. I'm just saying I remember meeting and introducing Mr. Perot

to the station chief outside the Ambassador's office in U.S. Embassy.

I remember some remarks being exchanged. They had to be about POW/MIA affairs. I'm having a difficult time getting that to touch with the meeting that obviously took place, as far as I know. It just doesn't make the same kind of thing, do you see what I'm saying?

I'm not trying to deny or say there wasn't a meeting. I would have certainly tried to help provide all the information we had available, but if I can't remember it, I can't remember it. I don't remember it the way they do, that's all.

The CHAIRMAN. Gentlemen, what I would like to do is be able to leave the record open in the event we have additional questions that we would like to followup with you with. We appreciate both of you taking the time, and particularly your patience through the day, but as you can tell, this is an important piece of testimony, and I think it's important to have all of your reflections on it as well as on the issue in general.

I suspect the committee will want to come back a little bit for some of the other issues about intelligence gathering in the briefing process within the embassy and so forth. I take it you had regular intelligence briefings in the embassy. Were there regular intelligence briefings to you, Mr. Ambassador?

Ambassador GODLEY. Every morning.

The CHAIRMAN. We'll followup on that. I do want to thank you both, and we will excuse you at this point in time, so we can proceed back to Mr. Perot at this time.

Thank you very much, both of you.

Mr. Perot, could I ask you to indulge us?

Mr. PEROT. While they're moving, can I make a point on the map here, sir?

The CHAIRMAN. Yes, sir.

Mr. PEROT. They missed Sam Neua. That's Sam Neua (indicating). That is not Sam Neua. That is Hanoi, not too far from Sam Neua, that is the Plain of Jars.

The CHAIRMAN. Correct.

Mr. PEROT. I just want to make sure that where we see the big clusters is where the action took place, OK? I'm sure with the best of intentions they just pointed out the wrong place, where there was just a couple of flags. This looks like flag city here. That's Sam Neua.

The CHAIRMAN. We don't have any doubt.

Mr. PEROT. Hanoi looks about right, and you see the Concentrations all the way down.

The CHAIRMAN. Mr. Perot, the flags are properly positioned in Sam Neua.

Senator SMITH. But they weren't properly identified.

Mr. PEROT. Then my National Geographic map is wrong.

The CHAIRMAN. You are correct. You pointed to the cluster.

Mr. PEROT. I'm sure it's hard. You know, the town is covered up with all the flags on it, but I just thought it was important to clear the record.

The CHAIRMAN. We appreciate that.

Mr. PEROT. There's a lot of confusion about what happened there, and I understand that a lot of time has passed. I know you want to get to the bottom of it. If you want to find out what happened in Laos, go to the Special Forces teams that were part of White Star, Operation White Star.

If you have trouble finding them, I can find them. I can find the key people. I can find key people who lived, fought, and took incredible risks for our country right up in there. They can tell us with certainty who dominated each area. You say, gee, Sam Neua is in Laos, therefore the Pathet Lao must be guarding the prisoners. Not necessarily.

Today, if we go to the people who worked in Operation White Star, who recruited and trained the Pathet Lao, took extraordinary risks for our country, never got any credit or recognition, they can tell you. And believe me, they carry a heavy burden about the people who were left there.

The CHAIRMAN. We would like to, obviously, work with you.

Mr. PEROT. I'd be glad to help in any way I can. I have another suggestion. You get a list of all the names of all of the participants representing the United States in Paris Peace Talks.

The CHAIRMAN. I think we have that.

Mr. PEROT. Including the lower-level staff members, and follow the old prosecutor's theory of start at the bottom and work your way up.

The CHAIRMAN. That is what we are doing.

Mr. PEROT. Right. Start with the lower-level staff members, because I recall there was great concern on the part of the working staff that we were leaving the men in Laos. And I think that if you just work from the bottom up, you will find a very interesting picture.

The CHAIRMAN. I know, Mr. Perot, you wanted—I want to let you comment on anything you want to comment on.

Mr. PEROT. No, no. I just want to get those parts out today because it ties back into what we've been talking about.

The CHAIRMAN. Fair enough.

Mr. PEROT. And one last—excuse me. This is important. Get the Continental Air Services and the Air America guys in. I stayed at their compound on my second trip. They talk openly about large numbers of POWs—openly. They just sat around and talked about it at night. Everybody knew about it. I stayed in their compound.

And these, again, were wonderful people who took unbelievable risks for our country. They were flying airplanes where you shouldn't be walking. They were landing airplanes where nobody, you know, that was prudent would be trying to put an airplane down.

So, there are a lot of people around if we really want to say, OK, who was doing this, that, and the other. We'll find somebody with a good recollection on it. All right, sir? I'm finished.

The CHAIRMAN. You wanted to specifically comment, I think, on the documents. I did not have any specific questions on the particular set of documents. Senator McCain may have, but I do not think he did. But I think you wanted to comment on them. And you wanted to take a moment to read them and then comment on them.

Mr. PEROT. But I have read them.

The CHAIRMAN. That may prompt some questions.

Mr. PEROT. Does Senator McCain have any questions he wants to ask me?

Senator McCAIN. No, sir. As I stated earlier, I thought that it was important for you to see those documents since they were released to the public, and have an opportunity to comment on any of either the statements or contents of those documents.

Mr. PEROT. All right, sir, we'll start with Michael Deaver's letter to Howard Baker, who was acting as chief of staff. Last paragraph, page 1, March 18, 1987.

We refuse to negotiate with them, being the Lao and the Vietnamese. We refuse to negotiate with them until all missing Americans are accounted for, a policy that perversely prevents negotiations concerning the release of Americans held prisoner.

He goes on at the end, I remember a Ronald Reagan who wore a POW bracelet for years and met continuously with the wives and families of those held during the long years of captivity. And I remember Ronald and Nancy hosting dinners for every California returned POW and their wives upon their return.

No other President will address this issue if Ronald Reagan doesn't do it in his remaining 2 years. And above all else, it's the right thing to do.

The CHAIRMAN. Now, you are drawing that to our attention—

Mr. PEROT. The point is—

The CHAIRMAN. To underscore the fact that their negotiating approach was wrong?

Mr. PEROT. He's basically saying, we should be negotiating, and Ronald Reagan should take the initiative because he cares about these men. And I would confirm that position. I knew Governor Reagan, when he was Governor. He and Mrs. Reagan did hundreds of very fine things for the prisoners.

The CHAIRMAN. Are you saying, then, that the negotiating position was not Ronald Reagan's position or was not in his interest?

Mr. PEROT. The reason I mentioned this first is one of his closest associates who may or may not have still been in Government—was not in Government, I guess, at this time—he was out, but still very close to President, was basically saying, and I assume Howard Baker had asked him for information. And he wrote this letter.

He's basically saying, we have a President who really cares for these men, and the right thing to do is to negotiate because if we just take the approach we're talking about, we're frozen in time.

The CHAIRMAN. Well, I would concur with you that that is an important statement, but it seems to indicate that Ronald Reagan's policy was against his own interest.

Mr. PEROT. I'm not sure it was the President's policy. I think the President had an open mind. I think he had staff people who had a program that they were trying to keep him focused on.

The CHAIRMAN. This policy has often been asserted to be the policy of Brent Scowcroft, who had a particular feeling about this issue through the years.

Mr. PEROT. He wasn't there at that time.

The CHAIRMAN. Do you have any sense of where this policy came from?

Mr. PEROT. I feel comfortable it came from the National Security Council.

The CHAIRMAN. But you do not know specifically?

Mr. PEROT. They had a POW group there. I don't know specifically. No, sir.

The CHAIRMAN. Well you specifically, in your deposition—I do not need to find the specific reference. I know you will remember it. But you talked about the fact that there was no strategy earlier, no negotiating strategy. Is that correct?

Mr. PEROT. Well, as we go through these documents I think you'll see that reconfirmed, that they're basically just kind of in freeze. Now, then, in the last few months in their stories for the press, they've claimed that my trip to Hanoi fouled up their negotiating strategy. These documents basically say they didn't have one.

These documents basically confirm everything I've told you here today. They didn't have one. The Vietnamese didn't want to talk to them. The Vietnamese were offended by the way they'd been treated, etc, etc, etc. Now, it bounces around, but when you read all these documents, it's all there.

The second document is from a document apparently typed by the Vice President.

The CHAIRMAN. Could I ask you a question on that, if I may, because this is helpful for the record I think? You were quoted, on page 220 of the deposition, as saying—the question from Mr. Codinha to you was: do you know what the administration's negotiating strategy was? Your answer was: no, there wasn't one. Either there wasn't one, or I don't know what it is. Fair?

Mr. PEROT. I think I said, no, there wasn't one, or if they had one it was a well-kept secret from me. And they had taken several months of my life working on this project, and you would think that someone would have done me the courtesy to say, now, here's our strategy in dealing with the Vietnamese. You would certainly think someone would have brought it up as we were talking about whether or not I should go on this trip. It never came up.

The CHAIRMAN. In point of fact, General Powell said, in his deposition to us, that he—let me just read this to you, if I can, Mr. Perot. And the reason I am doing this is that I want to underscore what was happening in terms of this overall policy. It seems to me that it was not that they did not have a negotiating policy. They had a policy not to negotiate.

Mr. PEROT. All right.

The CHAIRMAN. And the policy—do you see what I am saying?

Mr. PEROT. Yes, I would agree with that. I think that's confirmed here.

The CHAIRMAN. I think that it is very important. It is very important to understand that.

Mr. PEROT. But they were stiff-arming. They were going through what you call a stiff-arming thing.

The CHAIRMAN. Here is what General Powell said. The question to General Powell was: can you articulate what the position of the President of the United States was in March or April, versus what Mr. Perot's position was?

Answer: the President's position and the position of the administration was to get the fullest possible accounting for our missing in

action, and to be very firm in that position, to make sure that the Vietnamese understood that until that was dealt with there could be no improvement in our relationship, and there would be no benefits offered.

We had come to grips with this issue. We had a policy that was firm. The Vietnamese are marvelous negotiators, and they were constantly trying to find seams and ways around the policy.

When Mr. Perot came on the scene, his interest was—he made it clear that his interest had to do with finding live Americans, not just accounting for dead Americans. And he made it clear that he believed that there were live Americans. And the basis for that belief—and that was what he was interested in was bringing home live ones.

He seemed to be more willing to offer things to the Vietnamese in the way of potential economic benefits they might derive, or changes in the political and diplomatic situation between our two countries than existed, than the President and the administration were willing to do.

This is a very important paragraph, I think. General Powell says: the Vietnamese seem to be attracted to Mr. Perot and to his ideas, and the concern was that they might view him as the formal channel to the U.S. Government as opposed to the formal channels that might exist already through the diplomatic means, the Secretary of State as well as emissaries that the President might designate to deal with these matters.

Now, I see this as the fundamental difference and the fundamental conflict. H. Ross Perot had a set of ideas, and he clearly—by General Powell's own admission, the Vietnamese were attracted to it. You were on a separate track. The administration was over here. As I said, their policy was not to negotiate, your's was to try to move forward.

And so, in a sense, they got caught in a deadly circle. We do not negotiate, we will not get an account—we will not move forward until there is an accounting. The accounting could not come because there was no sense of opening. So, if anybody was alive, they languished while the diplomatic circle when around, and around, and around. Is that a fair assessment?

Mr. PEROT. I believe that is incorrect because I had not gone to Hanoi. Hanoi did not know what my approach was. All I basically did when I went to Hanoi was listen to them. I came back and presented all—

The CHAIRMAN. This was after you had come back?

Mr. PEROT. In these notes here, he is talking about what you just said before I went.

The CHAIRMAN. No, he is not.

Mr. PEROT. He is here.

The CHAIRMAN. He is talking here—

Mr. PEROT. That's his deposition. These are the notes written at the time.

The CHAIRMAN. Correct. I'm referring—

Mr. PEROT. I suggest that this may be a little harder evidence than what his recollection is several years later.

The CHAIRMAN. And what you are suggesting is that in his notes he says what?

Mr. PEROT. Basically, he's talking about—I think it's on March the—hang on. Let me get back to it. Here's the chronology. Let's see, this is—

The CHAIRMAN. This is the telephone conversation with Colin Powell.

Mr. PEROT. Just a second. Well, I had it here a minute ago. I should have stayed with it.

The CHAIRMAN. You are saying—is this the memorandum of the telephone conversation with Colin Powell? Well, obviously there is a struggle going on here. I mean, let me read to you from the telcon with Colin Powell. Colin says—

Mr. PEROT. What date are you on, sir?

The CHAIRMAN. Colin says that he has heard that Ross is making calls again.

Mr. PEROT. To whom?

The CHAIRMAN. Ross has called Perroots and wants to know who is trying to cut him out.

Mr. PEROT. All right, number one, I didn't call any—can I interrupt you?

The CHAIRMAN. Yes, sir.

Mr. PEROT. No. 1, this is wrong. This is on 3/21. 3/21 is a Saturday. 3/21 is a Saturday. We looked this up while I was down—the 19th was a Thursday, right, Bill, in this year? 3/21 was a Saturday. I was leaving on Sunday. I certainly did not call Perroots at the end of that week. Perroots I had not talked to in months.

The CHAIRMAN. He does not say when it is. It could have been a week earlier, it could have been 2 weeks.

Mr. PEROT. No, no. I'm just saying I didn't talk to General Perroots during this period.

The CHAIRMAN. What does it say?

Mr. PEROT. That is just what I just call National Security Council dissembling. I mean someone, I am sure, went into General Powell and said, gee, Perot just called Perroots, and that triggered off this. That did not happen, OK?

I find the fourth bullet here—

The CHAIRMAN. Well, here it says the same thing that I just suggested. He says: Hanoi, according to Colin, would rather deal with Perot. They have been stiffing the Government because they would rather deal with Perot.

Mr. PEROT. How would they know that. I haven't gone yet. I haven't gone. They don't know me for—all they know is I'm the guy that gave them a migraine headache for 4 years.

Senator McCAIN. I think they knew you.

Mr. PEROT. I guess to know me is to love me. I don't know, but they haven't met me yet. You see what I mean? This is fruit loop stuff.

The CHAIRMAN. Well, he is obviously referring to some kind of knowledge. I must tell you, I have never known Colin Powell to engage in fruit loop stuff, and I do not think you have either.

Mr. PEROT. Well, but again, this is somebody—this is not his memo. It's important that we get that on the record.

The CHAIRMAN. Well, on the contrary, General Powell says in his testimony in his deposition the very same thing that he is saying here—was that there was a sense that they would rather go your

route, which was doing a little business, feeling like there is some reciprocity. That is, in fact, in keeping—

Mr. PEROT. Nobody knew that was my route.

The CHAIRMAN. I beg to differ with you. Mr. McKillop had been going over there how many times? 11 times?

Mr. MCKILLOP. Not before that. Once.

The CHAIRMAN. Once before what?

Mr. MCKILLOP. Once before the trip.

Mr. PEROT. He went on the advance trip. I haven't been. They don't know me. I've had no contact with them. I'm a guy they hate. Why they invited me is still a mystery to me at that point. That's the reason I was so tentative about going. It's minor.

But the basic thing here—I think it's interesting to say that they don't have anything going on. We haven't been able to get far enough with discussions in Hanoi to communicate with them about Vessey.

Now, I ask every member of this committee to hold that thought because in the last 2 months, they have leaked endless stories to the press about the fact that I was disrupting what they were trying to do with Vessey. They never could get the Vessey message through.

We've got a news clip here somewhere, in this other stack you gave me, where the State Department is saying the Vietnamese have been dragging their feet since the prior fall on accepting Vessey. They'd never heard about Vessey the prior fall.

The CHAIRMAN. Let me interrupt you there if I can. I am not an expert in all of the sequence here.

Mr. PEROT. Well, maybe it's not important to you.

The CHAIRMAN. Well, it is important because I think it goes to the bona fides here and to what the situation is, and whether somebody is dissembling or whether they are, in fact, stating a reality of a situation. You had received an invitation from Vietnam, correct?

Mr. PEROT. Yes.

The CHAIRMAN. When was that invitation issued?

Mr. PEROT. March 19th. Is that when we got the copy; the date of the written invitation?

The CHAIRMAN. So, you received a written invitation before this memo was written.

Mr. PEROT. Yes.

The CHAIRMAN. OK, let me just finish my thought. Vietnam had decided it wanted to talk to you.

Mr. PEROT. Right.

The CHAIRMAN. Now, do you know how that decision came about?

Mr. PEROT. No.

The CHAIRMAN. You simply received an invitation?

Mr. PEROT. No, Mr. McKillop had been over. They first gave me a verbal invitation.

The CHAIRMAN. Well, let us just finish the thought. McKillop had been over there. Lo and behold, the Government of Vietnam invites Ross Perot to go to Vietnam.

Mr. PEROT. No, no. He went over because I told them I would not go to see them until an advance team had come in.

The CHAIRMAN. When did he go over?

Mr. MCKILLOP. About 3 weeks before, in February.

The CHAIRMAN. So, in February he went over, to tell them what?

Mr. PEROT. Well, I told them I wouldn't go until I had sent an advance team in.

The CHAIRMAN. Was there already a discussion about your going?

Mr. PEROT. Excuse me. And I wouldn't go unless I got a written invitation. And then I wanted to make sure that if I went we were going to talk about POWs.

The CHAIRMAN. So, in February you were discussing with the Vietnamese going to Vietnam?

Mr. PEROT. Because they had invited me verbally.

The CHAIRMAN. And when did they do that?

Mr. PEROT. Earlier.

The CHAIRMAN. So, they obviously wanted to deal with you.

Mr. PEROT. They wanted to talk to me.

The CHAIRMAN. Fine.

Mr. PEROT. And they did, sir, I went to Don Regan, the Chief of Staff in the White House, to see if they wanted me to do it.

The CHAIRMAN. So, when Colin Powell says here—we have just spent 10 minutes getting to the point that when Colin says, Hanoi, according to Colin, would rather deal with Perot. They have been stiffing the Government because they would rather deal with Perot. He writes that on 3/21. For a month and a half or more you have been negotiating about how to go to Vietnam.

Mr. PEROT. With the full knowledge of the White House.

The CHAIRMAN. I understand. But, therefore, his statement here is accurate.

Mr. PEROT. No, they have no basis for wanting to—

The CHAIRMAN. That is not true, because he says here that we have not been able to—he says here: we can give Perot the name of the person in Hanoi with whom we have been dealing. So they have been dealing with somebody in Hanoi who clearly has informed them, Hanoi really wants to talk to Perot.

Mr. PEROT. But when you get to the bottom of it, that's talk.

The CHAIRMAN. That is what?

Mr. PEROT. That's talk. That finally comes out that this person—I kept going through, what is this, the person we've been dealing—

The CHAIRMAN. All I am suggesting is, Mr. Perot, and I do this very respectfully, and I do it without any sense—this does not—in fact, I think this reinforces everything you have said today. It strengthens what you have said today.

There really were two tracks. You represented an approach. Hanoi appreciated your approach. In point of fact, the fact that they appreciated your approach seems to indicate that you may have been on the right track; that they were open to you, they were willing to talk to you; you might have gotten somewhere.

But lo and behold, the administration had a different attitude which was, no, we do not want to go that track. They have to go to produce before we talk to them.

So, you are on the let us talk and see if we can get production track. And they are on the no talk until there is production track.

Mr. PEROT. The Vietnamese don't know that at this point.

The CHAIRMAN. I understand, but there is a presumption that they want to talk to you or they would not have invited you.

Mr. PEROT. But they don't know what I'm going to be—to negotiate or just another stiff-arm rude arrogant person.

The CHAIRMAN. That may well be, but I doubt they invited you over. Thach clearly had some sense that talking to you might make sense. Had you indicated anything to Mr. Thach, Mr. McKillop, about what might transpire, why this would be a good idea?

Mr. MCKILLOP. No, I did not have to. They were interested in meeting with Perot.

The CHAIRMAN. Why? Why did they say to you?

Mr. MCKILLOP. Because they felt they could talk to him and they had not been able to get the U.S. Government people to come back and talk to them.

The CHAIRMAN. It kind of reinforces what I am saying, does it not? Is your nod a yes?

Mr. MCKILLOP. No. I am just finishing my train of thought.

The CHAIRMAN. I have had more than my opportunity to pursue that. I just wanted to pursue that with you, because it seems to me these two tracks are at the center at an ultimate disagreement which, when the President talked to you, the administration expresses it as a concern that Ross Perot represented an approach that was kind of getting out of hand to them, because it undid their no-discussion nothing approach.

Mr. PEROT. All right, now that was before the meeting.

The CHAIRMAN. Even afterwards, after you came back from Vietnam.

Mr. PEROT. Well, this memo was before the meeting.

The CHAIRMAN. Yes sir, that is correct.

Mr. PEROT. Now then, let's look at the memos after I came back from Vietnam. Here's an April 12 memo from—to Senator Baker from Jim Cannon, April 12, 1987.

The CHAIRMAN. Which memo is this?

Mr. PEROT. April 12, 1987. It's on the back. It's too bad the pages aren't numbered.

Senator McCAIN. Before we get past that—

Mr. PEROT. Two or three pages before the news clips and all that starts.

Mr. BRYANT. It is just toward the end of the group of documents you gave us this morning.

Senator McCAIN. I do have a question, Mr. Chairman. If we are proceeding chronologically on a memo that says talking points from Paul to Ross Perot, on 3/21/87.

Mr. PEROT. I've got it.

Senator McCAIN. It says: In fact, right now the best interests of the U.S. Government might be served if you were not to go to Hanoi at this time. That is one of the notes there. Do you ever recall ever having that said?

Mr. PEROT. I don't recall Jim Cannon saying that. The final decision was with Senator Baker, not Jim Cannon.

Senator McCAIN. So you do not recall ever—

Mr. PEROT. Excuse me, this is the day before I went. [Pause.]

Mr. PEROT. Look at the whole thing. The President has asked Howard Baker to followup with you. Something as sensitive as this

subject is raised, we've got to coordinate with Frank Carlucci and the National Security staff. Let me tell you what we know and what we suggest. It has not been going well with those in Hanoi and our emissaries have not been in contact with anyone who will commit to a visit by a high-level U.S. citizen. I don't understand that point. Therefore, there is no one individual whose name we can give you to contact, should you go to Hanoi.

That doesn't mean anything to me because I was going as Thach's guest. In fact, right now the best interests of the U.S. Government might be served if you were not to go to Hanoi at this time. Should you decide to go to Hanoi, the best thing you could do is try to convince them that they must deal through the proper channels and deal with those representing the United States, which is exactly what I did, set up the Vessey arrangement.

Then, if you go back to April 12, now we're after the trip. Now here is an interesting one here, the man to reach is Foreign Minister Thach.

Senator McCAIN. Ross, if I might just interrupt, I would like to make it clear for the record, in other words you do not recall and I think it is perfectly understandable, we are talking about a whole series of conversations and events. You do not recall that he said, right now, the best interests of the U.S. Government might be served if you were not to go to Hanoi at this time?

Mr. PEROT. Yes, but you see that's just Jim Cannon, who I have known for years, saying, you know, maybe this is not a good idea. But Howard Baker had already said, we want you to go as a private citizen. So that's like one of your aides calling 2 days later and saying, well, maybe you should and maybe you shouldn't. This is Saturday. I'm getting ready to get on the airplane the next morning.

Senator McCAIN. I understand the context of your answer. I was just asking specifically if you recalled him saying that in the course of conversation, and I would certainly think it would be very understandable if you did not.

Mr. PEROT. He may have said it, but I don't understand the relevance if he did, because this is Senator Baker's aide who I had known for years calling me and visiting with me about it. If we go to April 12, I think you'll find it interesting. If you follow through down here where after the meeting, it's the recommendation of Senator Baker to Jim Cannon.

If you start with what is most important now, the broader issue is that the National Security Council in our defense also concluded that General Vessey should go to Hanoi as the senior negotiator for the United States, and Perot has cleared the way for General Vessey's acceptance by the Vietnamese. Now, isn't that interesting, because according to the State Department, they've been dragging their feet since the prior fall, and here is this crisp, clear statement, they didn't know about it and I assure you they didn't know about it until I brought it up to them.

And the reason I was asked to bring it up to them is back here, in these earlier notes—here we're back on this Colin Powell, next to the page we just had on Colin Powell talking points, right behind it, he is not holding up Vessey. We can't even get an advance team in there. That's Colin Powell. In other words, they

couldn't get anybody in to tell them about Vessey, because the Vietnamese were upset. OK, then it goes on to say, let's go ahead.

I recommend the following. Issue the White House press release this week, the draft of which I gave you and General Powell. That was very important, because I told the Vietnamese we would take these steps and when you look at the press release, it exactly parallels what I recommended that we do. It acknowledges that Perot studied the issue at the request to President Reagan and made a recommendation for the appointment of a senior negotiator and that recommendation has been accepted.

To do so may cost something in personal sensitivities, but is the most expeditious way to get going, and not to do so will put the clearance for General Vessey back in the hands of the NSC staffers, who for whatever reason cannot get into Hanoi to talk to Nguyen Thach or the other Vietnamese officials, and I hope you will put a little asterisk by that last statement.

OK, as to their claim that I was disrupting what they were doing. They couldn't get in the door because they had already offended him and we got an earful of that just sitting there listening to him. Fairly or unfairly, that's the way they felt about it. We should wait for Vietnam elections, we proposed that, to make sure Thach wins, so on and so forth.

Then this paralleled exactly, have the UN representative, Ambassador Walters arrange for the Vietnam UN representative to formally inquire, is Vessey acceptable. Follow diplomatic channels, that I mentioned this morning. To back up the UN approach if necessary, ask the British and French who have representatives in Hanoi to pave the way. That works.

Before Vessey goes to Vietnam, you might ask Ross to brief Vessey on who he met with, what he saw and what advice he might give him, which I did. Here we are. Then he goes through Jack Marsh's evaluation and that just goes on from there. I think that kind of sums it up, and back here somewhere is his proposed press release.

The CHAIRMAN. Let me ask you something. Now, you approved of what has happened in that letter, but that letter—first of all it says, after you left, I went to talk with Jack Marsh about the possibility of a prisoner, and he says the chances of there being one are almost none. When I asked him to state the odds, he suggested 1 in 100,000. Yet we need to know, underlined. With Vessey in place, we could put in teams to cover Laos and Vietnam, and answer the question once and for all.

Mr. PEROT. Exactly.

The CHAIRMAN. Well, that's the very thing you said does not work. The teams are irrelevant.

Mr. PEROT. But this is Jim Cannon's analysis, not mine.

The CHAIRMAN. I understand that.

Mr. PEROT. I'm just saying, yet—see, that's the reason the negotiation, the broad mission I felt was the key.

The CHAIRMAN. So in effect, that is what I am getting at. Your recommendation which they clearly acknowledged, because in the beginning of the paragraph they say, Perot studied the issue and made a recommendation for the appointment of a senior negotiator and that is what you were pushing. They really did not empower or

give the broad enough portfolio to the negotiator that you had envisioned. Is that accurate?

Mr. PEROT. That's correct, sir.

The CHAIRMAN. And by creating this sort of team effort, they diminished what you had really been seeking to accomplish. Is that fair?

Mr. PEROT. Yes, sir. Now, the press release that he proposed is on your very back page and in his handwritten notes down here on April 10, he said, send it to Colin Powell for distribution, send a copy to Perot. Fascinating, it was never sent out. That was the signal we were to give the North Vietnamese, that's what I told them we would do. That's what I really tried my best to get over and instead, let's go back now to this newsclipping. United States says Vietnam delaying Vessey's diplomatic mission, that's two pages after the Jim Cannon note we were just on.

Mr. BRYANT. The date is April 23, 1987.

Mr. PEROT. In the Washington Post. The second paragraph: The State Department's spokesman, Charles Redmond, disclosed that President Reagan asked Vessey last fall to be an emissary to Hanoi, and that basically they were delaying action. I was really concerned that this could hurt everything that we had gotten done because they were so sensitive, and I made a public statement that that was not true after checking with General Vessey to make sure that nobody had even talked to him the prior fall.

The Vietnamese were very appreciative of that statement and they called Mr. McKillop as I recall. We took no steps to contact them. Their people in New York saw it and called Mr. McKillop and said they appreciated our setting the record straight. We made it clear that we set it straight for one reason. We wanted the process to continue.

The CHAIRMAN. Well, I think all of this helps to give us a much clearer understanding of what is going on.

Mr. PEROT. Well, interestingly enough, my statement is in the next day's—next page, April 24, the second column, and it basically was, I guess, maybe the left hand didn't know what the right hand was doing or something, but here Jim Cannon had in Colin Powell's hands, assuming it got there, the statement that was directly in line with what I had told the Vietnamese, and then suddenly we get the stray bullet coming out of the State Department.

Then we have this long and very interesting press conference where the press is haranguing Mr. Fitzwater about why they had a private citizen go to Hanoi in the first place, and he has again, and again, and again explained it to them in a very nice way.

The CHAIRMAN. Mr. Perot, does all this not really stem from the fact that in reality, despite all the rhetoric about highest national priority, this issue has been bouncing around with no real general—you know what I am saying, no person really having seized the cudgel and managing it. Is that not accurate?

Mr. PEROT. Yes sir, it's like a ship without a rudder. Every now and then a group will get interested and then let several years go by and then, another group will get interested, but there's no consistent logical program to resolve it.

The CHAIRMAN. And the reason as a private person you became involved in it was there was so little communication, frankly, be-

tween ourselves and the North Vietnamese, as you have said. You had to go in to stop the foot-dragging in order to facilitate Vessey getting in. Is that right?

Mr. PEROT. They asked me to try to get them, to tell them that he was being considered and tell them about the Presidential negotiator and thing I found out from reading this, is the reason, I guess, they asked me, because our people couldn't get in. They wouldn't see them.

Senator McCAIN. Mr. Chairman, let me put a little different spin on that if I could. I was there in 1985. I can assure you the Vietnamese in 1985 had no interest whatsoever in negotiating with the United States or coming forward with any additional information, and they adhered strictly to the line that they wanted their \$3 or \$4 billion obviously, as their economic conditions deteriorated and as the end of the cold war came around, there was a dramatic shift in their position.

So let us not put the blame all on the U.S. Government, because between the end of the war at some time in the late 1980's, if anyone can show me any deviation in the North Vietnamese position, I would very much like to see it. No. 1. No. 2 is, we have a tendency to forget, I would like to point out again as I have from time to time again, cooperation by the Vietnamese on this issue could have resolved it years and years ago.

It has become very fashionable to bash the administration, some of them very dedicated men and women both in and out of uniform who have worked very hard on this issue and in a very dedicated fashion, made mistakes, yes, done things wrong, yes, and was there enough attention to the issue, yes, but the fact is that the Vietnamese held the key and the solution to this problem both in Vietnam and Laos all along.

In 1985, I guarantee you, because I was there, the Vietnamese were not interested in talking to anyone, whether it be Ross Perot, or Ronald Reagan, or anyone else. So I think that is an important aspect to put on this entire issue rather than to continually bash people who were part of the administration, who bear some culpability.

And people did not cooperate, I would suggest, Ross, until it became very much expedient for them to do so, for the Vietnamese Government themselves, and that is not to remove any obligation from the American Government and both public and private citizens for not giving this issue the priority that it deserved.

Mr. Chairman, could I go back to one other issue that I think that Mr. Perot might want to respond to, and that is this Powell versus Perot, 4/9/87. I do not know if we have gone through that or not, I am getting a little weary myself. But, then on the second page it says, question, what does Ross think the Vietnamese expect from the United States? Did we go through that yet?

The CHAIRMAN. Where is that?

Mr. PEROT. Are we in a deposition or what?

Senator McCAIN. This is Powell versus Perot, this is in this set of documents, it is dated 4/9/87. It is following the note from the office of the Vice President in Washington.

Mr. PEROT. Oh yes, this is interesting. I find it fascinating. This is a meeting I think that took place at National Airport. They wanted to meet with me. I met them at National Airport.

Senator McCAIN. It is about midway through.

The CHAIRMAN. Here it is, thank you.

Senator McCAIN. Let me turn to the second page if I could, Mr. Perot, their last question. I think you might want to comment on this. What does Ross think the Vietnamese expect from the United States, and you go through a series of things, allowing a piano player to go on a concert tour in the United States.

Mr. PEROT. I've been to Vietnam and this is April 8. I've been to Vietnam. This exactly parallels my letter to the President.

Senator McCAIN. I understand and I also understand this is not your statement, this is Colin Powell's statement. I think that is important, to make that clear.

Mr. PEROT. No, I really think this is Jim Cannon, either that or somebody taped it, or Jim Cannon is writing the conversation down. That's my impression. Now, that may be from what I read from back here.

The CHAIRMAN. That is correct.

Senator McCAIN. That is correct.

Mr. PEROT. OK, it's Jim Cannon writing it down, taping it. Now, let me say this. As a citizen, I don't mind you taping me any time. I would like for you to tell me if you're taping me, you know, to put in a meeting, taped and not told, I find offensive. I found this very interesting. I don't remember anybody scribbling madly in this meeting.

Senator McCAIN. Actually, I share that view.

Mr. PEROT. OK, that's history.

Senator McCAIN. I think all of us are upset when we are taped without being notified.

Mr. PEROT. But it's accurate.

Senator McCAIN. Anyway, the bottom paragraph is the one I was just specifically asking about. However, Ross said I would give them very little, nothing but minor symbols until they come across with assistance in letting U.S. teams going anywhere in Vietnam or Laos to look for remains and live prisoners in Laos.

Is that an accurate statement?

Mr. PEROT. No, I don't believe that's accurate. Because they were always willing to let us roam around. Was there ever a time when they didn't let us go out—like that meeting—well, I was just with them once. And they basically said you can go anywhere they want to.

As a matter of fact, they wanted General Giap to take me to Hai-phong Harbor, didn't they? And I didn't go.

Senator McCAIN. I am not sure that you understand my question.

Did you say, "I would give them very little—nothing but minor symbols"?

Mr. PEROT. No, that part would be correct. You start off slow in a negotiation. You don't give away the store but you show good faith. The minor symbols are the things that I mentioned here.

The CHAIRMAN. Let me ask you a question, Ross. Do you think we are on that track now? I see a lot of missed opportunities along

the way here. But in the last year and a half, President Bush has now got significant numbers of people in there. We have the joint task force. It has been elevated in public consciousness and effort. And more importantly, the Vietnamese appear to be on a track with us: joint cooperation, if you will. And we have done some things.

As Senator McCain said earlier, we have lifted part of the communications business opportunity. We have helped, some humanitarian aide; we have provided some prosthetics, and so forth. There are these little things now happening. And there appears to be a significant step up in their cooperation with us.

Do you think that we are now on that track that you talked about getting on much earlier?

Mr. PEROT. I would have to look very carefully at what we are doing. But since history would tell us, and facts would tell us that most of the survivors would probably be in Laos, and any time—any time—

The CHAIRMAN. So you think Vietnam is almost irrelevant then?

Mr. PEROT. No, no, no, no, please—

But every time—I would see—I know during the war—and Vietnam was a huge force in Laos, was the force in Laos, the big gorilla—they went anywhere, anytime, if they wanted to guard those prisoners, and Sam Neua, they could, etc, etc, etc. They were the muscle.

But when I talked with Mr. Thach, he was very careful to talk about the sovereignty of Laos every time we ever brought it up—Harry, correct or not?

Mr. McKILLOP. That is correct.

Mr. PEROT. Interestingly enough, the minute you would say Laos, they would kind of just freeze on you. So I would say you'd have to deal with Laos as a separate strategy.

I am not saying go back on what you did here. But we need to have a really well-thought-out strategy for Laos. And again, no criticism of General Vessey intended.

I think we need people who go there and stay there, are buried in it—not one trip a year. I do not think that is General Vessey's fault.

The CHAIRMAN. Well, General Needham is there. We have a flag officer who is there. You do not think that is adequate? I am just asking. I am not saying it is.

Mr. PEROT. I would have to know his mission, what can he do other than look for remains?

The CHAIRMAN. Well, he is following up on live-sightings. He is not allowed to negotiated, except as to the furtherance of the accounting process.

Mr. PEROT. I would have my negotiator close by, because time is critical now. These fellows are getting old. It has always been critical, but it gets more critical as they age.

Senator McCAIN. Mr. Chairman, could I make a suggestion? It may not be the proper time to do it—but Mr. Perot has only had about 45 minutes, I believe, during a brief break to respond to—to examine all these documents and respond. And I suggest that we leave the record open for Mr. Perot to respond in a way that he

chooses to do so, since he clearly had not been aware of any of these documents until this hearing took place.

The CHAIRMAN. I think that is perfectly acceptable. I do not have any reason—and we would leave the record open anyway.

Do you want to do that, Mr. Perot? Is that comfortable to you?

Mr. PEROT. What does that mean, sir?

The CHAIRMAN. That means that if you want to take some time to read through these, and you would like to respond in writing to the committee—

Mr. PEROT. Sure, yes, if there is anything—sure.

The CHAIRMAN[continuing]. On any of the aspects, so that we would be happy to accept it as part of the record.

Mr. PEROT. All right, sir.

The CHAIRMAN. Let me just call to your attention, incidentally—because this has come up a couple of times, and this document—this is the first time I have seen this document. It just was presented to me, as a consequence of our discussion today.

But you cited earlier the Soth Petras comments. And I mentioned to you that in 1991 he was visited, and he retracts them. Just so the record is clear, that that is not a 1991 retraction, we have here an embassy, Vientiane Embassy cable, on a trip from Senator Ed Brooke, my predecessor in this seat—not immediate predecessor. And he went to Laos in 1973, on April 6 of 1973.

And in the course of his meeting with Representative Soth Petras in Vientiane, the Embassy reported back the following:

In the course of Senator Brooke's meeting with LPF Representative Soth Petras on April 6, the letter—I might remark to you, this is April 6. This is Operation Homecoming. This is about 2 weeks after the last flights, or right about the time of the last flights.

Soth Petras says LPF holds no more American prisoners in Laos.

Mr. PEROT. When did the Congress decide not to pay reparations?

The CHAIRMAN. Later.

Mr. PEROT. Are you sure?

The CHAIRMAN. Yes.

The joint military powers, the four joint powers were implementing the initial stages. This is right after, during the return—almost immediately that joint, four-power process was beginning to break down almost immediately. And we were accusing the Vietnamese of violations. And they were accusing us. And the process never really worked, obviously. And that is where part of the accounting broke down.

It was subsequent to that the Congress made its decision that they were not going to be forthcoming with the money. But at this time Soth Petras said that the only prisoners the LPF held were the nine who were returned to the U.S. Government in Hanoi on March 28.

Incidentally, this does not mean that this is true. I am just telling you what he said back then. Senator Brooke suggested that the search for MIAs not be linked to the ceasefire agreement, but that this activity be undertaken separately and start forthwith toward that end. The Senator suggested establishment of a joint body

effort to shed light on the fate of MIAs. Soth Petrasz agreed to transmit this suggestion to Souphanouvong at Sam Neua.

It says Senator Brooke explained the economic situation of the United States; said that the growing opposition within Congress and the country to spend American money on reconstruction; had not decided not to but it was growing—particularly in North Vietnam. This opposition, the Senator noted, is strengthened by two events: the allegation of torture of American POWs by North Vietnamese and Viet Cong; and, indeed, the small number of American POWs returned in Laos, considering the large number of Americans missing.

Specifically, according to U.S. Government records, 318 American military are missing or were captured. Incidentally, he had no other information about capture. It was just simply missing or captured in Laos.

He mentioned they had no information on the fate of six missing Americans, that only nine had been returned.

Anyway, we will enter this into this record.

[The information referred to follows:]

AFIN: 57519 MAO *RECORD*

INFO X000 / X0XX-2 IN-3 SAFOS-3 (u)

V222CCAF3851LN002 C O N F I D E N T I A L

00AF

AOT10N

DTGTR CJCW(105) CJO5 DJS SJCW(103) J1(00) J3(00) J5(00) J7(00) NMCC

SECDEF(107) ASD/ISA(101) ASD/MA(101) LA(101) ASD/DA(101) SECDEF(101) DIA

CSA WASH DC

OSAF

CNO WASH DC

DRS OIA(100) NMCC FILE(1)

(1032)

TRANSIT/ 2/0420202/ 1 TDR0902015

DE RUEAC/ 03413-3962014

ZNY CCCC

BY

C O N F I D E N T I A L SVC ZDK JCS010

PAF297

DO RUEKJ08

ZNY CCCC-200 STATE

SV4528

CO RUEHC RUMQHOA NJA327HJA977JFA438

DE RUMJFS 02690/1 0961348

ZNY CCCC ZZH

C R61319Z APR 73

FM AMEMBASSY VIENTIANE

TO RUEHC/SECSTATE IMMEDIATE 3480

INFO RUMQHOA/CINCPAC IMMEDIATE

HUNGREY/CDR JCRC WWP THAI IMMEDIATE

QUINCY/AMEMBASSY BANGKOK IMMEDIATE 1203

RUMJTR/AMEMBASSY SAIGON IMMEDIATE 9012

C O N F I D E N T I A L SECTION OF 2 VIENTIANE 2606

E.O. 11652: GDS

TASSI, MOFS, PFCR, LA

SUBJECT: SENATOR BROOKE'S DISCUSSION WITH LPP REPRESENTATIVE ON POW/MIA QUESTION

SUMMARY: IN COURSE OF SENATOR BROOKE'S MEETING WITH LPP REPRESENTATIVE SOTH PETRASZ ON APRIL 6, LATTER FORMALLY STATED THAT LPP HOLDS NO MORE AMERICAN PRISONERS IN LAOS; SOTH SAID ONLY PRISONERS LPP HELD WERE THE NINE WHO WERE RETURNED TO US IN MARCH OF MARCH 28. SENATOR BROOKE

1

OFFICE OF SENATE SECURITY

DOCUMENT CONTROL NUMBER OBS-92

This Document consists of 2 Pages

Copy 1 of

0018

8/11/92

1105

DECLASSIFIED BY: [illegible]

8/11/92

1105

SUGGESTED THAT SEARCH FOR MIAs NOT BE LIMITED TO LAOS  
 SEPARATELY AND START WITHIN TOWARD THAT END  
 SENATOR SUGGESTED ESTABLISHMENT OF A JOINT BODY  
 IN EFFORT TO SHED LIGHT ON FATE OF MIAs. BOTH PHETRASAY  
 AGREED TO TRANSMIT THIS SUGGESTION TO SOUPHANOUVONG IN  
 SAM NEUA. END SUMMARY

1. SENATOR BROOKE, ACCOMPANIED BY DOM, CALLED ON LPP  
 VIETNAMESE REPRESENTATIVE BOTH PHOTRASAY MORNING APRIL 8 IN  
 COURSE OF TWO HOUR 15 MINUTE CONVERSATION, THREE SUBJECTS  
 WERE DISCUSSED: (A) RECONSTRUCTION ASSISTANCE TO INDO-  
 CHINA (B) PROSPECTS FOR IMPLEMENTATION OF VIETNAMESE  
 CEASEFIRE AGREEMENT (C) POWS AND MIAs. THIS MESSAGE  
 DEALS ONLY WITH LAST SUBJECT.

2. SENATOR BROOKE EXPLAINED THAT HE EXPECTS PRESIDENT  
 NIXON TO PROPOSE TO CONGRESS A PLAN FOR RECONSTRUCTION  
 ASSISTANCE FOR INDOCHINA IN KEEPING WITH THE AGREEMENTS  
 SIGNED EARLIER THIS YEAR. WHILE THE PRESIDENT CAN  
 PROPOSE SUCH A PROGRAM, THE SENATOR NOTED THAT CONGRESS  
 CONTROLS THE PURSE STRINGS TO IMPLEMENT SUCH A PROGRAM.  
 THE SENATOR THEN LISTED SOME OF THE DIFFICULTIES SUCH  
 A PROGRAM WILL ENCOUNTER BOTH IN CONGRESS AND WITH THE  
 AMERICAN PEOPLE: (A) THE ECONOMIC SITUATION IN THE  
 UNITED STATES; (B) THE PENCHANT OF MANY MEMBERS OF  
 CONGRESS AND A LARGE SECTOR OF THE AMERICAN PEOPLE TO  
 SPEND MONEY AT HOME RATHER THAN ABROAD; (C) THE GROWING  
 OPPOSITION WITHIN THE CONGRESS AND IN THE COUNTRY TO  
 SPEND AMERICAN MONEY ON RECONSTRUCTION OF INDOCHINA,  
 PARTICULARLY IN NORTH VIETNAM. THIS OPPOSITION THE SENATOR  
 NOTED, IS STRENGTHENED BY TWO EVENTS: (A) THE ALLEGATION OF  
 TORTURE OF AMERICAN POWS BY NORTH VIETNAMESE AND  
 VIET CONG; (A) THE SMALL NUMBER OF AMERICAN POWS  
 RETURNED IN LAOS CONSIDERING THE LARGE NUMBER OF  
 AMERICANS MISSING IN LAOS. SPECIFICALLY, THE SENATOR  
 MENTIONED THAT, ACCORDING TO USG RECORDS, 318 AMERICAN  
 MILITARY PERSONNEL ARE MISSING OR WERE CAPTURED IN LAOS.  
 IN ADDITION WE HAVE NO INFORMATION ON THE FATE OF SIX  
 MISSING AMERICAN CIVILIANS; OF THE 324 AMERICANS  
 MISSING OR CAPTURED IN LAOS, ONLY NINE (7 MILITARY  
 AND 2 CIVILIANS) HAVE BEEN RETURNED TO US. FURTHER.

PAGE 2

CONFIDENTIAL

08111110

0019

0010

CONFIDENTIAL

MORE. THE PATHET LAO HAVE NOT GIVEN US ANY ACCOUNT  
 THE FATE OF THOSE CARRIED AS MIAs.

3. THE SENATOR EXPLAINED AT LENGTH BOTH THE  
 HUMANITARIAN AND LEGAL PROBLEMS CREATED BY NOT KNOWING  
 WHETHER A MIA IS DEAD OR ALIVE AND NOTED THAT MANY OF  
 HIS COLLEAGUES BELIEVE THAT THE ADVERSARY HAS NOT BEEN  
 TO PROVIDE INFORMATION ON MIAs. MANY MEMBERS OF CONGRESS  
 ARE DISINCLINED TO SUPPORT RECONSTRUCTION AID UNLESS  
 PROPER ACCOUNTING PROCEDURES ARE ESTABLISHED FOR MIAs.  
 SENATOR BROOKE SAID THAT THE PATHET LAO MIGHT WISH TO  
 KNOW ABOUT THE SENTIMENT OF THE AMERICAN PEOPLE AND  
 OF THE MEMBERS OF CONGRESS REGARDING RECONSTRUCTION AID  
 FOR INDOCHINA AND APPLY ITS CLOSE RELATIONSHIP TO THE  
 PRISONER AND MIA PROBLEM.

4. SENATOR BROOKE SUGGESTED THAT THE PATHET LAO PROVIDE  
 INFORMATION ON POWS AND MIAs BOTH IN THEIR SELF-INTEREST,  
 (I.E. TO STRENGTHEN THE ARGUMENTS OF THOSE AMERICANS  
 FAVORABLY DISPOSED TOWARD RECONSTRUCTION ASSISTANCE)  
 AND ALSO TO ALLEVIATE THE SUFFERING OF FAMILIES WHO  
 HAVE LOVED ONE MISSING OR CAPTURED DURING THE WAR.  
 THE SENATOR POINTED OUT THAT HE WAS SPEAKING AS A  
 MEMBER OF THE LEGISLATIVE BRANCH AND NOT FOR THE EXECU-  
 TIVE BRANCH. HE BELIEVES THAT CONGRESS NEEDS SOME  
 INDICATION THAT THE FORMER ADVERSARY WISHES TO  
 COOPERATE WITH THE USG ON ISSUES OF VITAL INTEREST  
 TO THE UNITED STATES, SUCH AS POWS/MIAs. IF THE  
 CONGRESS IS TO VOTE FUNDS FOR THE RECONSTRUCTION OF  
 INDOCHINA, INCLUDING NORTH VIETNAM, THE SENATOR  
 OPINED THAT PROBABLY EVERY ONE OF THE 100 SENATORS  
 HAS A CONSTITUENT WHO HAS A LOVED ONE MISSING IN  
 INDOCHINA AND THESE CONSTITUENTS REPRESENT A VOCAL  
 AND SIGNIFICANT GROUP INFLUENCING THE MEMBERS OF THE  
 SENATE. AS A POLITICIAN, THE SENATOR SAID, BOTH  
 PHETRASAY SHOULD UNDERSTAND THIS PRESSURE.

BT

#1412

ANNOTES

CEH 332

PAGE 3

CONFIDENTIAL

08111110

NNN

0628202

0020

0010 RWS

Mr. PEROT. What we have here is a man in 1970 who was very open about it; who in 1973—a couple of months earlier—was boasting about holding tens of ten.

The CHAIRMAN. Agreed.

Mr. PEROT. And now suddenly he does a 180 degree on us. And so I guess, you know, the fashionable thing to do is say gee, let's take whichever story you told we like. You pick the one you like.

The CHAIRMAN. Let me just say to you that is the problem here. We all understand that.

But in terms of dealing with the realities of getting people back, or of assets, and why they would keep them or not keep them, you have to try to weigh these things.

When we confronted the Prime Minister point blank on this subject of nonaccountability, we got the same kind of sort of "this was history; this was part of the past; terrible things happened in war"—that kind of—the very kind of comments that Souphan gave us. Only he had given them to us more directly saying they were killed.

Now all I am suggesting is that one of the things the committee has to evaluate is the possibility that people were simply taken out and killed because the asset value had changed, given the politics and the status of the situation. We do not know the answer.

Mr. PEROT. Where are their remains, Mr. Chairman?

The CHAIRMAN. This is a question that we need to pursue. And we have—

Mr. PEROT. If you have to go down that train in your thinking, then you say all right, you killed them. Where did you bury them? It is very important to our country and to the families.

The CHAIRMAN. We asked all of those questions—

Mr. PEROT. Can they be returned?

The CHAIRMAN[continuing]. And we are not satisfied with the answers we have received obviously.

Mr. PEROT. But in the meantime, they get full, diplomatic status. That is their reward for playing games with us.

Senator SMITH. I would like to just weigh in on that for a moment, on the Petrasy thing.

It is interesting—it is true there are two stories that Mr. Petrasy has told here that is a matter of public record. What he said to Mr. Brooke, it is also a matter of public record what he said to you and others in the public and to the world in the 1969 through 1973 period.

I think if we are going to enter in the record a document that says that he retracted it or recanted it, then we also—I would make a point, Mr. Chairman, we enter into the record the cable where he said that they were seen, which would be—

The CHAIRMAN. They are already in the record.

Senator SMITH[continuing].—Part of the record.

But I also think it is important to point out because when we went to Laos, and all the comments that Mr. Kerry made about Mr. Souphan were correct. He did deny any live Americans, thoroughly refused to take any correspondence from families which I tried to give to him, at the request of the families. He refused to accept.

But I also think it is important to point out that one of the specific and most solid request that I made on behalf of the committee was that we have—we, the committee, had the opportunity to meet with Mr. Petrasy. And that was made very clear to Souphan. It was the one request that was firm, other than Souphan, himself, that we really wanted to see. We were denied that access.

Subsequent to that, the staff director, recently, went back again to Laos to try to meet with Petrasy. And we were again rebuffed.

So I think it is important just to get it in perspective for the record that Petrasy has not talked to the committee, directly. We have asked for access to him and have not received it. So I just think that is important for clarification.

And I just want to make two more quick points. There was a lot of debate here a while ago on a Colin Powell conversation at the White House. I think it is important to clarify that that memorandum that was referred to here was not Colin Powell's own words, as he had written—in fairness to Powell we should say that that was Craig Fuller's characterization of what Colin Powell said. It may be accurate, but it—

Mr. PEROT. Craig Fuller, or Jim Cannon? Where is this?

Senator SMITH. It was a cover page—

Mr. PEROT. Cover at the top?

Senator SMITH. Yes, on 321, To Jim—I assume that is Jim Cannon; From Craig Fuller. And I assume that that goes with that. But I am not clear. There is a cover sheet with that on there.

So I am assuming that that is Craig Fuller's characterization of a conversation with Powell. I may be wrong. But that is accurate. That should be stated for the record so the words are not put in Powell's mouth that he did not say.

The CHAIRMAN. The words of General Powell that I read were directly from his deposition.

Senator SMITH. Well, I was not referring to that. I was referring to the memorandum. And also—

Mr. PEROT. I had not had an opportunity to see General Powell's deposition, or Senator Baker's deposition, or Frank Carlucci's deposition.

When I met with the President of the United States it was with the understanding that only Senator Baker would be in the room—clear understanding.

When I got there, he told me that the National Security Council had insisted on being present, and he could not stop it. And I said fine.

I want to make several things as clear as I can. No. 1, somebody has—I have read in the paper somewhere someone has mentioned that somebody claims we did not go through my letter in the meeting. Is that true in any of those depositions, or not?

That we did not go through my letter in the meeting with President Reagan, and he never saw the contents of my letter. Does anyone claim that?

The CHAIRMAN. I believe it is possible, if my recollection serves me.

Both Senator Baker and General Powell state that there was not time to go through the whole letter. But they do not have a recol-

lection of what points may or may not have been covered from the letter. But they do not—

Mr. PEROT. That is a fair statement. Because the letter has addendums.

We went through the letter. I did not take him through all of the—in terms of future actions, I gave that directly to Howard Baker. And I think I went through future actions. But it was the comments about the Vietnamese. One of the two I gave directly to Senator Baker.

One other thing that has been brought to my attention, is I have not seen Mr. Childress' deposition. He has some statement about a meeting we had in his deposition? Can anybody tell me if that is true?

The CHAIRMAN. What?

Mr. PEROT. That I met with Childress or talked to Childress, and that I said we will offer \$1 million a prisoner, and if they don't take that we'll double it?

Nothing like that ever occurred. Nothing remotely like that ever occurred. That's just a myth.

The CHAIRMAN. I would be fascinated to know where you hear all these things about the depositions.

Mr. PEROT. I think I read it in the papers—it just pours in.

The CHAIRMAN. I beg your pardon?

Mr. PEROT. I mean reporters call me. Senator—

The CHAIRMAN. Who calls you? People call you who have read these depositions?

Mr. PEROT. Yes, reporters, mainly from Washington call me. And they have it, reading them.

The CHAIRMAN. Well, reporters do not have these depositions.

Mr. PEROT. Well, they had mine. It was in Newsweek this week.

The CHAIRMAN. No, we talked about it—your deposition, not a word of your deposition has been quoted.

Mr. PEROT. As soon as your guys hit Washington after my first meeting with them in Dallas, everything they—

The CHAIRMAN. Mr. Perot, now we are working backwards here. You say to me you have received telephone calls.

Mr. PEROT. I get called by reporters, and the stuff just blows past me.

The CHAIRMAN. Let me ask you a question. Has somebody called you about those depositions you have just referred to?

Mr. PEROT. Yes.

The CHAIRMAN. Somebody quoted your depositions? Quoted your depositions?

Mr. PEROT. People have called me and asked, say how long was the meeting and all that stuff. Did you go through the letter—I just want to make it clear, we went through the letter. We went through the letter.

I want to make it clear that Childress and I—if that is in his deposition—nothing like that ever occurred.

Mr. BRYANT. Senator, I might add that I believe that that remark has been attributed to Childress.

The CHAIRMAN. Well, it is my understanding—

Mr. PEROT. Well, if it is in his deposition, it is dead wrong.

The CHAIRMAN. Let me just say to you that Mr. Childress apparently has released a statement to the press, which he put out—when did he put this out? He put this out yesterday, in which he said I recall only three conversations—three occasions when I had direct interaction with Mr. Perot: two phone conversations and a meeting that lasted 1 to 2 hours.

So that is his statement that he has made public. It is not a committee document.

Mr. PEROT. But does that say—does he say when I met with him for 1 to 2 hours?

The CHAIRMAN. 1987, 1979 time period?

Mr. PEROT. Absolutely not. That is after this was over.

The CHAIRMAN. The first phone call was in late 1984, soon after a Wall Street Journal article. The second conversation was sometime in early 1985. And my third interaction, I believe took place in the fall of 1986 in the Pentagon. That is his statement.

Mr. PEROT. What does he claim we talked about?

The CHAIRMAN. I do not know. We would be happy to make this available to you.

Mr. PEROT. If he makes a claim that I had any conversation with him about paying—first-off, anybody that understands negotiations in business would say the dumbest thing in the world you could do is say yes, I'll offer you \$1 million a man, and if you don't take that I'll double it. If you don't take that I'll double it—nobody's that—I mean please. Give me a break. That's just the kind of goofy stuff—

Now, you've got to keep in mind this is one of your key guys on the National Security Council that has these fantasies in his head. So there is nothing I can do about it. It's just part of the joy of trying to help out, I guess.

Senator McCAIN. Explain to me how that is different from the roadmap which has been basically the position of the United States vis-a-vis Vietnam. In other words, if the Vietnamese take certain steps, then we take certain steps. And it is clearly laid out.

How is that different from your philosophy which is negotiating, we have said, if you will stop the war and stop your involvement in Cambodia we will take certain steps. If you will then show progress on the POW/MIA issue which, in the minds of many that they have, they have because of the setting up of the office in Hanoi for live-sighting reports, etc. We will do certain things in exchange for that.

How is what the Government is doing, the U.S. Government doing now different now from what you suggest?

Mr. PEROT. You are on a different subject, right? You are on a completely different subject.

Senator McCAIN. You have said several times about how—

Mr. PEROT. Childress and this \$1 million thing he was talking about, nothing like that happened.

Senator McCAIN. What I am saying is that you have said on many occasions that what you need is tough negotiations, with offering them certain incentives.

Mr. PEROT. We are not talking about the Childress conversation now.

Senator McCAIN. Yes, sir.

Mr. PEROT. We are?

Senator McCAIN. I was asking a general question. I am sorry if I leaped off of the Childress comment.

Mr. PEROT. If we are off of Childress, I am with you. I was focused on this thing that makes no sense at all. We never had a conversation on it. It is somewhere on the record or in the press releases, or you name it. And I just wanted to make sure you gentlemen and ladies understood that nothing like that ever occurred. That is really stupid. That is dumb, in terms of how you do something.

Senator SMITH. Mr. Chairman, I had one more point. Oh, are you finished, Senator McCain? I am sorry.

Senator McCAIN. Laying that matter aside, could I ask again the problem that you have—if you have any—or how you would proceed differently from the way that the U.S. Government has laid out a certain roadmap toward normalization of relations between the United States and Vietnam. I think this is an important question. Because if you have very different views as to how we should proceed, as opposed to the policy of the U.S. Government now—and that is a policy. I know it is a policy. You may happen to disagree with it, but there is a policy. I would be very interested in your views as to how the U.S. Government should proceed in order to best resolve this issue, as opposed to the roadmap they have laid out with the Vietnamese at this time.

Mr. PEROT. I would have to study the roadmap plan. I am not that familiar with it. I would have to see the details. Devils are always in the details. So I would have to study the details. And if I had any suggestions, I would be glad to give them to you. I have never seen the roadmap plan. Is it a written book or document?

Senator McCAIN. It is pretty well known.

The CHAIRMAN. There is a speech or a cable that sets it out—I forget which—or both.

Mr. PEROT. But it is not something that average citizens see. I have never seen the roadmap plan.

The CHAIRMAN. Well, it has been written about publicly in the papers.

Mr. PEROT. That is a reporter's version. I was—what I am saying is if you would like me to comment, or if someone would send me the detailed roadmap plan, I would be glad to comment on it.

The CHAIRMAN. The roadmap essentially is what you have been articulating, which is a process that is flexible, whereby if they will cooperate with A, B, C, and D we will take steps to show our good favor as a consequence of their cooperation. It is not specific about what those steps will be, and when they will occur.

But it is simply as they show good cooperation, we will take steps to show our appreciation for that cooperation. And so we have, indeed, taken such steps as the office has opened Hanoi, as more remains have been returned. As they have acceded to our request for access to the prisons, we have lifted partially the embargo with respect to communications equipment.

We have proceeded on some humanitarian assistance and so forth. And that will grow, we assume, as their cooperation continues to grow. That is essentially an on-going negotiating process.

Mr. PEROT. Run by whom?

The CHAIRMAN. It is run under Dick Solomon—it was under Dick Solomon, now he is leaving to go to the Philippines. But it has been under the Assistant Secretary of State for Far-Eastern Affairs, with the inter-agency group under the Secretary of State, Ken Quinn, White House, NSC and others involved, in joint agreement.

Mr. PEROT. Where does General Vessey fit in?

The CHAIRMAN. General Vessey has been the instrument of negotiation and sort of measurer, if you will, of their good faith in the POW process. And he has reported directly to the President and Secretary of State and NSC on that process.

Mr. PEROT. So he just works on the POW issue?

The CHAIRMAN. He has worked exclusively on the POW.

Mr. PEROT. In my judgment, that is a fatal flaw right there. Whoever is in charge of this thing, we should not separate the two. In other words, he has a specialty summit. He also has all these different specialties here. Somebody in State is in charge, I would say, to get it done.

You really need to have somebody who reports directly to the President, and who has the confidence of Congress. Because they are very sensitive to Congress, in Vietnam, very sensitive to you. They feel you reflect the people. They talked to me at great length about that.

And rather than take your time now, if there is anything you want me to read or study, I will be glad to do it. I cannot comment on it. It is too general.

Senator SMITH. Mr. Chairman, could I just come back to a final point?

In my comments, I think from the Vietnamese point of view, I suppose, the roadmap would be looked at as something that was imposed upon them, or directed to them—not negotiated.

I am not saying I disagree with that. I am just saying that that is probably the way that they would look at it. But in listening to your comments a short time ago, Mr. Perot, the exchange between you and Senator Kerry on negotiations, and how you looked at the thing within the administration during the 1985 to 1987 timeframe, during the Reagan years, you seemed to sense that there was some drifting, if you will, in terms of negotiations.

I think that the public comments—if one analyzed what is out there—probably would substantiate that. I do not know about the internal workings. Because I was not part of the administration.

But let me just give you a brief example. In February 1986, Richard Childress—who we just discussed here, who was certainly a major player on the issue during this period of time—wrote a very detailed article in American Legion Magazine, dated February 1986, in which he said the Vietnamese pledged to resolve the POW/MIA issue—American MIA Issue: America's long night of darkness may be over, as the talk produces hope for POWs. Then he says, quote, the Vietnamese pledge to resolve this issue within 2 years.

It was the first written agreement since the end of the war, and is a result of intensive negotiations at both the policy and technical levels between the United States and Vietnam.

It is our current judgment that Vietnam has made a policy decision to resolve—that resolving the issue is in there just—and have

publicly welcomed it. And that was written in a national magazine, very widely read.

And then at the same time, or roughly the same time, the minutes from the board of directors' meeting of the League of Families—this was dated April 5—in which the executive director, under her report, Ann Mills Griffiths says it was clarified the Vietnamese public commitment to resolving the POW/MIA issue within 2 years had been made in July 1985. But Griffiths clarified the chronological sequence of events, and emphasized that although there was no agreement, no signed agreement, the U.S. commitment had been made clear, repeatedly, to the Vietnamese.

So again, you could get into semantics with a signed agreement, written agreement—was it written and nobody signed it, or what? But the point is it is—these two very influential people within the administration who are listened to when they speak on the issue, were sending out different signals. And I think this probably contributes to the confusion, and perhaps may give an example of why some type of a more direct negotiated policy was needed.

And I would just ask you one question—and I agree with your assessment of General Vessey, and I respect him very much, and have worked with him very closely over the years on the issue.

But do you believe that his powers of negotiation, if you will, should be expanded to Laos?

Mr. PEROT. Somebody needs to do it. Somebody needs to do it. And if we impose the roadmap on them, whoever did that made a huge mistake. If I force you to do something, I automatically create bad will. If you and I mutually agree that this is a good idea, we have set the tone to get something done.

So I would say based on my meetings, the two that I had, and I listened—these are really, really, really sensitive people. It is an Asian culture. They move at a totally different pace than we do. They don't look at facts the same way that we do. We have to understand them in order to deal with them.

And then if we're patient and work with them, we have a chance to resolve this issue. If I were directing it, I would put all of the energy, and I would put enormous talent around negotiations at resolving the issue. And I think we would see a breakthrough. And I would say this. Let's look at the downside. Let's assume that nothing happened. That's what's going on for 20 years. It can't get worse.

And who knows, you might have a breakthrough if you dealt with them carefully and sensitively, and in good faith.

Senator SMITH. I would like to thank you, Mr. Perot, for a long afternoon. I know the chairman is getting ready to wrap up. We appreciate all of your testimony, all of the witnesses.

The CHAIRMAN. Mr. Perot, a couple of things—just sort of house-keeping. First of all, you mentioned at one place in your deposition something to the effect that there were a couple of parts of it that you thought might damage Vietnamese-U.S. negotiations, in the deposition.

Mr. PEROT. I'd have to see it in context. I can't remember where it is.

The CHAIRMAN. We would like you to point that out to us, perhaps, so we could deal with whatever part that is. Because we want to release that, obviously, commensurate with this.

Second, you just made a very perceptive comment—among others—but that particular one about the feelings, and mutuality here, Ambassador Lang of Vietnam, in New York, has conveyed to us the following message. This was in response to questions that we raised about the live-sighting process.

And he wanted us to know that Vietnam has made the maximum effort at implementing the agreements that were reached between the two countries, including those between Minister Nyeng Kahm and General Vessey; and between Mr. Leihli and Mr. Solomon.

Vietnam will continue to do so in the future. And he wants to make that point very strongly. The ambassador said that the message for the United States side to understand is that the recent feelings and concerns of the Vietnamese people are committed, in cooperation with the United States to resolve the issue. The suggestion made by the Vietnamese side at the latest technical meeting of MIA experts of the two countries were aimed at improving the effectiveness of the investigations and live-sighting reports. It is absolutely not a change of the rules, as alleged by Colonel Cole.

Nevertheless, the Vietnamese side should point out that in its view, short notice investigation is not a good, cooperative way. Because it is a manifestation of distrust of the United States side and Vietnamese side. And this has caused great irritation among the Vietnamese people and officials.

So we have to, obviously, try to recognize in this that there is something to be gained from mutuality.

Mr. PEROT. Didn't they say in the last few days that we were impinging upon their sovereignty or something? Didn't I read that?

The CHAIRMAN. This was the issue of live-sighting. They have agreed to continue.

Mr. PEROT. But you see, if they are angry about it, and it is being imposed on them, seeing live-sightings will not resolve the issue. I think we are giving too much emphasis to live-sightings, and not enough emphasis to negotiation.

The CHAIRMAN. You have said that.

Mr. PEROT. Too many times.

The CHAIRMAN. Most pointedly in the afternoon. And I think the point is well made. We are, obviously, going to examine that and balance it against other approaches that are in front of the committee.

I would like to particularly thank you for today. You have stayed way beyond the time that you had agreed to with the committee. Let there be no question in anybody's mind about your availability or readiness on this issue. I think the committee has been very direct throughout this process.

When you were potentially running, and questions were raised about your nonappearance, well we stressed the need to have you come. And I think today has been very informative. And you can understand the give and take with Senators is a lot better than a piece of paper—as much of an impingement as it is on your time.

I think the committee kept faith with the notion that you were appropriately indisposed; and we tried to reach appropriate accommodation. I want to thank you personally, Mr. Perot, for doing that. You have made yourself available at every one of our requests. You have answered every one of my phone calls. You have never resisted making yourself available to our staff when they have needed information.

I think that the same kind of commitment that you brought to this originally is still part of your life. And I said at the beginning of this hearing, I say again—Senator McCain has said it, and others have said it. And you have received awards. That there is no question but that your personal output on this; your personal commitment not only made life easier for people, but I am convinced saved lives.

There is no question but that people appropriately hold you near and dear for that kind of patriotism. And that is what it is. You have carried this issue with you. You have taken a lot of flak for it at times, and for other things around it.

I am mindful of the comments you made in your deposition about Clair Booth Luce's comment about people who do good deeds getting their just punishment at some point in time. I know you have gone through that a lot. I just want you to know the Members of committee respect that. I hope you respect the need. And I think you have, in your presence today, the need for us to make this open.

Your being here today—notwithstanding the repetition of it; notwithstanding the fact that you have told many of these things to us before—shares it with the public in a way that is very special to our country.

I know that you care about that. It is what makes us unique. We can air these things like this in ways that no other country on the face of this planet dares to do. And notwithstanding the incompetence we sometimes uncover, or the negligence—and sometimes in nefarious approaches, but rarely, thank God.

Notwithstanding that, it works. And I think that this is evidence of that. And this committee, with your help and the help of other people, is going to be able to render to the American people an examination of this issue that has never been rendered before.

We may leave some questions out there because we are not capable, as humans, of resolving all of this 20 years later. But the record will be more complete. And the evidence will be greater and I think the effort more significant—thanks, in part, to your participation and contribution.

So for the committee I want to thank you for this day and for your help, which I know will continue in the weeks ahead.

Mr. PEROT. I will be glad to help out.

Mr. Chairman, if I could make a closing comment?

The CHAIRMAN. Tomorrow morning we will meet at 9:30 here, beginning with the testimony of General Peroots. And the record will remain open for purposes of—

Mr. PEROT. And check to see if it was a scam on the tape.

The CHAIRMAN. Also, if you would—you mentioned the one item you were going to talk to us about privately. If I could meet with you afterwards, privately, I would like to talk to you about it.

Mr. PEROT. Just one, closing comment, if I could—

I would spend all my time and energy in negotiation. And I would have people who know how to negotiate, negotiate. I would go to extremes to avoid any sense of scapegoating, looking for scoundrels, etc, etc, etc. Because if we do that, we will delay getting the men home.

And finally, I understand this very—say—skeptical, prove it, prove it, prove it process. But let me give you an analogy.

If when Murphy Martin had brought Mrs. Singleton into my office I had said prove that your husband went down in Laos. Was there ever a beeper? She would say well, I don't know. I'd say check with the Air Force or I won't talk to you anymore. She came back in a few days and said there was no beeper. I said, well, he was killed on impact, then. Forget it.

Instead, we spent 90 days—this was while the war was going on. We put their feet to the fire. Theirs—the Vietnamese feet to the fire—in a brutal way about Jerry Singleton. And finally they got so sick of us they admitted they had him. And then they had to account for him. And he came home.

And when I finally got to visit with him after he came home, I said Jerry, there wasn't a beeper. And he said Perot, the dumbest thing I ever did in my life was not check the batteries before I flew the mission.

Thank you very much.

Senator SMITH. Mr. Chairman, could I just make a quick parliamentary inquiry—

Do you intend now to move into executive session for the last witness?

The CHAIRMAN. We are going to do that tomorrow morning at quarter of.

Senator SMITH. OK, tomorrow morning. And Mr. Perot will not be here tomorrow. Is that correct? I am not asking you to be. I am just asking if you are planning to be.

Mr. PEROT. Well, I will be here in spirit because I will be curious if the whole Gregson thing was a scam. I cannot believe it was because I have the highest regard for all the people of General Peroots and the Vice President. They must have better things to do than set up something that cost me several-hundred thousand dollars as a joke.

Senator SMITH. Because of the sensitivity of an executive session, which I understand the necessity of, it would seem to be appropriate that I may just make a request, or ask the advisement of the chair, on whether or not, if Mr. Perot is available, whether or not he would be allowed to sit in on that deposition or that hearing, if you will, executive hearing, (a) because he has the appropriate clearances; and (b) it is not an informational situation anyway. It is simply an identity situation and he has been directly involved. And it would help to clear the air regarding any charges of perhaps something not being put out in public that was said inside the private session.

I do not know if Mr. Perot intends to be here or if he is not. It does not matter.

Mr. PEROT. I need to go on home. And if something strange comes up, I could come back.

The CHAIRMAN. Let me just say to you, Mr. Perot, you do have the clearance, and I will make available to you, in short order, whatever record—I mean there will be a record of it. And we will make that available to you.

Mr. PEROT. This is General Peroots tomorrow?

The CHAIRMAN. No, we are talking about the private session with the station chief that you mentioned earlier this morning.

Mr. PEROT. Oh, no, the private session with the station chief—we had the meeting. Whether he can remember it or not is up to him.

The CHAIRMAN. We will make the body of his remarks available to you for your statements to the committee, so that you can respond. And there will not be anything that will be kept from you with respect to that.

Mr. PEROT. In all deference to him, it has been 20-something years.

The CHAIRMAN. So the committee will meet in this room with General Peroots, in open session, tomorrow morning at 9:30 a.m.

We stand adjourned until that time.

[Whereupon, at 6:45 p.m., the committee adjourned.]

Hanoi, June 15, 1990

## LETTER OF INTENT

In anticipation of the normalization of relations between the United States and the Socialist Republic of Viet Nam, this letter is to formally invite Mr. Ross Perot and/or his designated companies to assist Viet Nam in its economic recovery and redevelopment efforts.

[~~In consideration thereof and exchange for his assistance,~~]

The Socialist Republic of Viet Nam will appoint Mr. Ross Perot and/or his companies as an agent of Viet Nam in the procurement of capital investment and establishment of joint venture companies (within the laws on foreign investment in Viet Nam) in the following areas:

[details included]

Electronics, computer and communications hardware and software assembly and manufacture including parts and components;

Oil and gas; [1<sup>st</sup> right of refusal option]

Metallurgy - rare earth and other known and unknown metal resources;

Food/agriculture - processing and distribution of products and by products;

Transportation - development and operation of air, land and sea systems;

Real estate - development. [sale + lease]

Compensation to agent to be mutually agreed upon by both parties based on effort and investment.

[Duration of agreement: minimum of 20 yrs, plus 2-5 yrs option, subject to mutual agreement]

Nothing in this letter of intent is to be construed or is intended to violate or circumvent the present laws of either country as the effective date of the proposed agreement is conditioned upon the official establishment of normal relations as declared by both countries and within the spirit and letter of the prevailing laws.

It is understood by both parties that this letter of intent is subject to the condition of normalization contained herein and formalization of the agency agreement in September 1990 or as agreed.



NGUYEN CO THACH  
Minister of Foreign Affairs  
Socialist Republic of Viet Nam

Proposed draft  
8 June 1990.

In anticipation of the normalization of relations between the United States and the Socialist Republic of Vietnam, this letter is to formally invite Mr Ross Perot and/or his designated companies to assist the Republic in its economic recovery and redevelopment efforts.

In consideration thereof and exchange for his assistance, the Socialist Republic of Vietnam will designate/appoint Mr Perot and/or his companies as agent (sole) of the Republic in the exploration, development, organization, provision of expertise, training, management, operation, marketing, distribution, export/import of related products and by products, procurement of capital investment and establishment of joint venture companies (within the laws on foreign investment in Vietnam) in the following areas:

Electronics, computer and communications hardware and software assembly and manufacture including parts and components.

Oil and gas - including a first right of refusal option to a designated 10 minimum block off-shore area.

Geology - rare earth and other known and unknown metal resources.

Food/agriculture - processing and distribution of products and byproducts;

Transportation - development and operation of air land and sea systems.

Real estate - sale, lease and development.

Compensation to agent to be mutually agreed upon by both parties based on effort and investment.

Duration of the agreement to be a minimum of 20 years with 2 - 5 years options subject to mutual agreement.

Nothing in this letter of intent is to be construed or is intended to violate or circumvent the present laws of either country as the effective date of the proposed agreement is conditioned upon the official establishment of normal relations as declared by both countries and within the spirit and letter of the prevailing law.

It is understood by both parties that this letter of intent is subject to the condition of formalization contained here in and formalization of the agency agreement in September 1990 or as agreed.

Signed

92 SEP -3 PH 4:18

23 August 1992

The Honorable John F. Kerry  
Chairman, Senate Select Committee on  
POW/MIA Affairs  
United States Senate  
Washington, DC 20510-6500

Dear Senator Kerry,

I have just had the opportunity to view a tape of the telecast hearings conducted by your Select Committee on 11 August 92. I am writing to express my unhappiness with the false statement made by Mr. H. Ross Perot to the effect that I am (or was) an employee of the Central Intelligence Agency. For the record, I would like to assure you that I am not now, and have never been, employed by the CIA.

It is terribly disappointing to see Mr. Perot, a man whom I admired for his work on behalf of the prisoners in the early 1970s, now dealing in innuendo and gossip as regards the role played by myself and others on the POW/MIA issue. Mr. Perot has had ample time to get his facts straight; he has chosen instead to believe what he wants to believe without regard to the truth.

I respectfully request that you assure the final record of your hearings reflects the truth regarding my non-employment by the CIA.

Sincerely,

*Paul D. Mather*  
Paul D. Mather  
LtCol, USAF (Ret.)

New York, August 10, 1992

Ambassador Lang's Message for Senator J. Kerry

1/ Ms. B. Crossette did not put in her article all what the Ambassador said at the August 8, 1992 interview. It is understandable that she wrote what she was only interested in. She can be asked for a full record of the interview if necessary.

2/ At the interview the ambassador asked Ms. Crossette to convey to Senator J. Kerry his message that Vietnam has made the maximum efforts in implementing the agreements reached between the two countries including those between Minister Nguyen Manh Cam and General J. Vessey and between Mr. Le Mai and Mr. Solomon. Vietnam will continue to do so in the future. It is regrettable that Ms. Crossette did not convey to the Senator this message nor put that message in her August 9 article.

3/ What the Ambassador said at the interview was a message for the U.S. side to understand the recent feelings and concerns of the Vietnamese people in their cooperation with the U.S. to resolve the complex MIA issue. That message is necessary for the better understanding and better cooperation between the two countries.

The suggestions made by the Vietnamese side at the latest technical meeting of MIA experts of the two countries are aimed at improving the effectiveness of the investigations on live-sighting reports. It is absolutely not "a change of the rules" as alleged by Col. Cole. Nevertheless, the Vietnamese side should point out that, in its view, short-notice investigation is not a good cooperative way because it is a manifestation of distrust of the U.S. side in the Vietnamese side and this has caused great irritation among the Vietnamese people and officials.

H. R. PEROT  
1700 LAKESIDE SQUARE  
13077 MERIT DRIVE  
DALLAS, TEXAS 75251

92 OCT -7 PM 2:10

September 30, 1992

The Honorable John F. Kerry  
Chairman  
Senate Select Committee on  
POW/MIA Affairs  
Washington, DC 20510-6500

Dear Senator Kerry:

The following is in response to your letter of August 29, requesting additional information reference my testimony before the Committee:

1) Names of former POWs who had mentioned those men left behind after April 14, who were "called in, chewed out and told to cut it out."

The wife of one former POW came up to me the day of the hearing, and stated that this had happened to her husband. Unfortunately, I did not get her name. I do recall other POWs mentioning this shortly after they came home in 1973. I do not recall the names, but I will continue to try to locate people who had this experience.

2) Any additional written comments regarding documents provided to you at or immediately before the hearing.

No.

3) Any additional information concerning your knowledge of a SEAL operation during which "either most were killed or all were killed, and . . . that a few were captured and were on display to some senior people who visited from other Communist countries."

Senator John F. Kerry  
September 30, 1992  
Page Two

I read about the SEAL operation in news reports. It seems rational to me that the Senate Committee could check with the Navy and Navy SEALs to see if such an operation ever occurred.

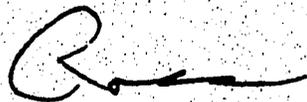
4) Any additional information concerning any other covert operation(s) by the government or others to recover POW/MIAs or information ap-  
pertaining to POW/MIAs.

No.

5) Any additional information regarding topics discussed during your testimony that you believe would be appropriate to include as part of the official record.

No. I mentioned a Marine pilot who was shot down whose alleged fingerprints were sent out in the mid-'80's. The Pentagon had no fingerprints. There is a possibility he was flying under the control of the CIA and the Agency might have his fingerprints. The name is Norman K. Billipp. I believe he was flying a mission toward Laos. Senator Robb expressed interest in having his name.

Sincerely,



Ross Perot

RP/sb

|                             |                |                |               |
|-----------------------------|----------------|----------------|---------------|
| DEPARTMENT OF STATE         |                | IA/FPC/COA     | Date: 7/21/92 |
| RELEASE                     | ( ) DECLASSIFY | MR Cases Only: |               |
| EXCISE                      | ( ) DECLASSIFY | EO Citations   |               |
| DENY                        | IN PART        |                |               |
| DELETE Non-Dispositive Info |                |                |               |
| FOIA Exemptions             |                |                |               |
| PA Exemptions               |                |                |               |

07/21/92 135540. PRINT/CK: HI

V. VIENTIANE 2503

~~CONFIDENTIAL~~ *unclassified 7/21/92*

PAGE 01 VIENTI 02503 01 OF 03 120825Z  
ACTION EAP-01  
INFO LOG-00 ADS-00 CIAE-00 HA-09 INRE-00 INR-01 NSAE-00  
NSCE-00 PA-01 PM-01 P-01 SP-01 SSO-00 SS-01  
USIE-00 /016W

-----AACF38 120832Z /20

O 120821Z NOV 91  
FM AMEMBASSY VIENTIANE  
TO SECSTATE WASHDC IMMEDIATE 2798  
INFO SECDEF WASHDC//DASD-ISA/PM-MIA// IMMEDIATE  
CDR USACILHI PT SHAPTER HI//TAPC-PEC-M// IMMEDIATE  
CDR JCRC BARBERS PT HI IMMEDIATE  
USCINCPAC HONOLULU HI//J3/J51/J512/PPA// IMMEDIATE  
JCS WASHDC//PM-MIA/JST// IMMEDIATE  
DIA WASHDC//PM-MIA// IMMEDIATE  
JCRC LIAISON BANGKOK TH IMMEDIATE  
C O N F I D E N T I A L SECTION 01 OF 03 VIENTIANE 02503  
DEPT ALSO FOR EAP/VLC  
FN 12356: DECL: OADR  
TAGS: MOPSY, LA  
SUBJ: SOTH PETHRASI: NO FIRSTHAND KNOWLEDGE OF U.S.  
POW/MIAS IN LAOS  
REFS: A. BOYLS/GADOURY TELCON OF 11/11/91  
B. VIENTIANE 2484

Note on privacy considerations: this report mentions Lt. Peter Hessford, a POW/MIA, and AP newsmen Dennis Nedd.

~~CONFIDENTIAL~~ *unclassified*

PAGE 02 VIENTI 02503 01 OF 03 120825Z  
1. SUMMARY: SOTH PETHRASI DISCOUNTED ANY POSSIBILITY OF LIVE U.S. POW'S IN LAOS AND DENIED ANY FIRSTHAND KNOWLEDGE OF U.S. POW'S OR MIA'S. DURING MEETING ON NOVEMBER 12, 1991 WITH CHARGE AND DCM, SOTH SAID THAT HIS STATEMENTS DURING THE WAR YEARS OF NUMBERS OF AMERICAN PRISONERS BEING HELD IN LAOS WERE ONLY PROPAGANDA TO INCREASE THE MORALE OF THE PATHET LAO MOVEMENT. HE INSISTED ON GOLF SINCERITY IN ACCOUNTING FOR ALL U.S. POW/MIAS AND URGED CHARGE TO CONVEY TO THE FAMILIES OF POW/MIAS THAT THERE ARE NONE LIVING IN LAOS. SOTH, WHILE CLEARLY IN FRAIL HEALTH, APPEARED ALERT AND HIS MENTAL FACULTIES VERY ACUTE. END SUMMARY.  
2. IN RESPONSE TO STRONG EMBASSY PRESSURE TO ARRANGE AN INTERVIEW WITH FORMER PATHET LAO SPOKESMAN, SOTH PETHRASI, LAO MINISTRY OF FOREIGN AFFAIRS (MFA) ARRANGED FOR CHARGE AND DCM TO MEET WITH SOTH AT THE MFA ON NOVEMBER 12, 1991. THE LAO MADE A SPECIAL POINT OF HIGHLIGHTING THIS MEETING AS A FURTHER EXAMPLE, AND DEMONSTRATION, OF THEIR COMMITMENT TO COOPERATING WITH U.S. ON THE POW/MIA ISSUE.  
3. CHARGE AND DCM COVERED THE FULL LIST OF QUESTIONS PROVIDED BY JCRC BANGKOK, PER REF A. THE LAO HAD STATED REPEATEDLY THAT SOTH WAS IN VERY POOR HEALTH, THAT HE

~~CONFIDENTIAL~~

PAGE 1

01 VIENTIANE 2503 07/21/92 135540. PRINTER: HI

~~CONFIDENTIAL~~ *unclassified 7/21/92*  
 HAD DIFFICULTY FOCUSING HIS THOUGHTS, AND THAT HE HAD  
 EVEN HAD A STROKE. CHARGE AND OCM FOUND SOIM IN ACTUAL  
 FACT TO BE VERY ALERT AND FORTHCOMING. HE RESPONDED TO  
 QUESTIONS VIGOROUSLY AND SPONTANEOUSLY. ALTHOUGH HE  
 COULD NOT RECALL SPECIFIC STATEMENTS OR FIGURES QUOTE  
 DECADES AGO. HIS FACILITIES APPEARED ACUTE AND HIS GRASP

CONFIDENTIAL

PAGE 03 VIENTI 02503 01 OF 03 120825Z  
 OF PAST AS WELL AS CURRENT EVENTS WAS VERY GOOD. HIS  
 PHYSICAL HEALTH IS APPARENTLY VERY FRAIL BUT THAT DID  
 NOT SEEM TO AFFECT HIS OVERALL COMPOSURE. HE APPEARED  
 TO CHARGE AND OCM AS IN GOOD SHAPE FOR A MAN IN  
 SEVENTY-SIX YEARS.

4. BOTH RESPONDED TO SPECIFIC REF A QUESTIONS,  
 SUMMARIZED AS FOLLOWS:

BEGIN REF A QUESTIONS:

-Q. TO YOUR KNOWLEDGE DID ANY AMERICAN PRISONERS REMAIN  
 IN LAOS AFTER 25 APRIL 1973?

-A. I REALLY HAD NO DIRECT KNOWLEDGE OF THE AMERICAN  
 PRISONERS. THE ONLY INFORMATION I HAD I RECEIVED BY  
 RADIO OR NEWS REPORT FROM SAM NEUA. I WAS THE SPOKESMAN  
 IN VIENTIANE AND COULD NOT POSSIBLY GET OUT TO THE  
 LIBERATED ZONES.

-Q. AFTER 25 APRIL 1973, DO YOU REMEMBER MAKING ANY  
 STATEMENT THAT AMERICAN PRISONERS WERE STILL BEING HELD  
 ANYWHERE IN LAOS, CAMBODIA, OR VIETNAM?

-A. THERE WAS NO WAY I COULD KNOW ABOUT ANY PRISONERS,  
 WHETHER IN LAOS, CAMBODIA, OR VIETNAM. AS I SAID, I  
 RECEIVED THE REPORTS FROM SAM NEUA AND MADE STATEMENTS  
 BASED ON THESE REPORTS. FOR THE MOST PART, I THINK THAT  
 EVEN THE AUTHORITIES IN SAM NEUA COULD NOT SAY WITH ANY  
 ACCURACY HOW MANY AIRCRAFT HAD BEEN SHOT DOWN OR HOW  
 MANY PILOTS KILLED. AS FOR THE NUMBERS CAPTURED, MUCH  
 OF THAT HAS PROPAGANDA TO MINIMIZE THE LOSSES AND  
 STRENGTHEN THE MORALE OF THE CADRE.

CONFIDENTIAL

PAGE 04 VIENTI 02503 01 OF 03 120825Z

-Q. I WOULD LIKE TO READ YOU FOUR STATEMENTS AND THEN  
 ASK YOU A QUESTION ABOUT THEM.

-- ON 11 NOVEMBER 1969, YOU TOLD NEWSMEN THAT THERE WERE

~~CONFIDENTIAL~~~~CONFIDENTIAL~~

PAGE 2

9. VIENTIANE 2503 07/21/92 135541. PRINTER: HI

PAGE 01 VIENTI 02503 02 OF 03 120851Z  
 ACTION EAP-01

INFO LOG-00 ADG-00 CYAE-00 HA-09 INRE-00 INR-01 NSAE-00  
 NSCE-00 PA-01 PM-01 P-01 SP-01 SSO-00 SS-01  
 USIE-00 /0154

-----AADDAD 120852Z /20

O 120821Z NOV 91

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC IMMEDIATE 2799

INFO SECDEF WASHDC//OASD-ISA/PW-MIA// IMMEDIATE

CDR USACILHI FT SHAFTER HI//TAPC-PEO-M// IMMEDIATE

CDR JCRC BARRERS PT HI IMMEDIATE

USCINCPAC HONOLULU HI//J3/J51/J512/FPA// IMMEDIATE

JCS WASHDC//PW-MIA/JGT// IMMEDIATE

DIA WASHDC//PW-MIA// IMMEDIATE

JCRC LIAISON BANGKOK TH IMMEDIATE

C O N F I D E N T I A L SECTION 02 OF 03 VIENTIANE 02503

DEPT ALSO FOR FAP/VLC

EO 12356: DECL: OADR

TASS: MOPS, LA

SUBJ: SOUTH PETHRASI: NO FIRSTHAND KNOWLEDGE OF U.S.

PW/MIA'S IN LAOS

1. AMERICAN AIRMEN BEING HELD IN LAOS.

-- IN EARLY 1973, HANOI RELEASED 591 AMERICAN PRISONERS,  
 AMONG THIS NUMBER WERE 9 AMERICANS CAPTURED IN LAOS AND

~~CONFIDENTIAL~~

PAGE 02 VIENTI 02503 02 OF 03 120851Z  
 TRANSFERRED TO HANOI BY VIETNAMESE FORCES.

-- ON 25 APRIL 1973, YOU TOLD MR. DENNIS NEDD, AN  
 ASSOCIATED PRESS NEWS CORRESPONDENT, THAT THERE WERE NO  
 AMERICAN POW'S IN LAOS.

-- BETWEEN THE 150 YOU MENTIONED IN 1969 AND THE NINE  
 RELEASED FROM HANOI THERE ARE AT LEAST 149 AMERICAN  
 PRISONERS WHICH HAVE NOT BEEN ACCOUNTED FOR. THE U.S.  
 GOVERNMENT CONSIDERS IT A MATTER OF THE HIGHEST PRIORITY  
 TO DETERMINE WHAT HAPPENED TO THEM AND OTHERS CAPTURED  
 AFTER 1969.

--DO YOU HAVE ANY INFORMATION WHICH COULD HELP EXPLAIN  
 THIS?

-A. AS I MENTIONED BEFORE, I HAD NO FIRSTHAND KNOWLEDGE  
 OF ANY PRISONERS AND THE ONLY INFORMATION I HAD WAS  
 BASED ON RADIO AND NEWS REPORTS ISSUED BY THE NLHS  
 AUTHORITIES IN SAM NEUA. YOU MUST UNDERSTAND THAT EVEN  
 OUR AUTHORITIES IN SAM NEUA COULD NOT ACCURATELY  
 ESTIMATE THE NUMBERS OF AIRCRAFT HIT OR PILOTS KILLED.  
 AT IT HAPPENED, THE AIRPLANES WOULD ATTACK AND DROP  
 THEIR BOMBS, AND THE SOLDIERS WOULD FIRE SMALL ARMS AND  
 ROCKETS AT THEM. IF THE AIRPLANE WERE HIT, IT WOULD  
 STILL CONTINUE ON AND CRASH AT SOME PLACE FAR AWAY.

~~CONFIDENTIAL~~

PAGE 3

07/21/92 135541. PRINTER: HI

91 VIENTIANE 2503

~~CONFIDENTIAL~~ *unclassified 7-21-92*

THAT AREA OF LAOS IS VERY DIFFICULT, WITH DENSE JUNGLE AND RUGGED MOUNTAINS. THERE WAS NO WAY TO KNOW IF THE PILOTS WERE KILLED OR MANAGED TO PARACHUTE OUT. EVEN IF THEY DID SURVIVE THE ATTACK, THEY COULD NEVER HAVE SURVIVED ALONE IN THE MOUNTAINS. AS FOR PRISONERS TAKEN, I DON'T KNOW MYSELF THE REAL NUMBERS BUT I UNDERSTAND THAT THEY WERE ALL RETURNED TO THE U.S. AFTER THE WAR. (COMMENT: SOTH APPEARED NOT TO REMEMBER THE NAME OF DENNIS NEUA. END COMMENT)

~~CONFIDENTIAL~~

PAGE 03 VIENTI 02503 02 OF 03 120851Z

-3. WE UNDERSTAND THAT MANY YEARS HAVE PASSED SINCE THE WAR, BUT DO YOU KNOW OF ANY OFFICE OR PERSON IN THE GOVERNMENT OF LAOS WHO MAY HAVE ANY RECORDS OF THESE AMERICAN PRISONERS?

-4. WE COULD NOT KEEP SUCH RECORDS IN THE LIBERATED ZONES. BECAUSE OF THE GUNSIANG BOMBING ATTACKS, THE PEOPLE AND THE VILLAGES WERE SPREAD OUT OVER A GREAT AREA. OUR ONLY PREOCCUPATION WAS TO SURVIVE AND CONTINUE TO FIGHT FOR VILVUKY. THERE MAY HAVE BEEN REPORTS OF BATTLES BUT THERE WAS NO POSSIBILITY TO RECORD THE DETAILS. ALSO, IT WOULD HAVE BEEN IMPOSSIBLE TO MAINTAIN SUCH RECORDS UNDER THE CONDITIONS IN THE LIBERATED ZONES.

-4. ON 12 SEPTEMBER 1968, YOU INFORMED LIEUTENANT PETER HESSFORD'S RELATIVES THAT HE SURVIVED AND WAS CAPTURED.

-- WAS YOUR STATEMENT BASED ON EVIDENCE THAT HESSFORD SURVIVED?

-- IF SO, WHAT WAS THE EVIDENCE?

-- WHAT HAPPENED TO LT. HESSFORD?

-4. AS I NOTED BEFORE, I HAD NO INFORMATION MYSELF ON NAMES OR INDIVIDUALS CAPTURED BY OUR FORCES, BUT ONLY RECEIVED THE REPORTS FROM SAM NEUA. I DON'T REMEMBER THIS NAME, AND I WOULD HAVE HAD NO EVIDENCE THAT HE HAD SURVIVED OR ANY INFORMATION ON WHAT HAD HAPPENED TO HIM.

-3. ON THE 20TH OF NOVEMBER 1968, YOU STATED THAT THE PATHET LAO HAD CAPTURED OVER 70 AIRMAN AND YOU SHOWED A LIST OF NAMES OF 69 AMERICANS CAPTURED.

-- WHO OR WHAT ORGANIZATION PROVIDED THAT LIST?

~~CONFIDENTIAL~~

PAGE 04 VIENTI 02503 02 OF 03 120851Z

-- WHO WERE THE 70 MEN ON THE LIST AND WHAT HAPPENED TO THEM?

-4. I DON'T RECALL ANY LIST OF PRISONERS. AS THE SPOKESMAN IN VIENTIANE, I WOULD NOT HAVE HAD SUCH

~~CONFIDENTIAL~~~~CONFIDENTIAL~~

PAGE 4

07/21/92 135541. PRINTER: HI

91 VIENTIANE 2503

~~CONFIDENTIAL~~ *unclassified 7/21/92*

PAGE 01 VIENTI 02503 03 OF 03 120829Z

ACTION EAP-01  
INFO LOC-00 ADS-00 CIAE-00 MA-09 INRU-00 INR-01 NSAE-00  
NSCE-00 PA-01 PH-01 P-01 SP-01 SSO-00 SS-01  
USTE-00 /0154

O 120821Z NOV 91

FM AMEMBASSY VIENTIANE  
TO SECSTATE WASHDC IMMEDIATE 2800  
INFO SECDEF WASHDC//OASD-ISA/PW-MIA// IMMEDIATE  
COR USACTHMI FT SHAFTER MI//TAPC-PCO-II// IMMEDIATE  
CDR JCRC BARBERS PT HI IMMEDIATE  
USCINCPAC HONOLULU HI//J3/J51/J512/PPA// IMMEDIATE  
JCS WASHDC//PW-MIA/JGT// IMMEDIATE  
DIA WASHDC//PW-MIA// IMMEDIATE  
JCRC LIATSON BANGKOK TH IMMEDIATE  
C O N F I D E N T I A L SECTION 03 03 VIENTIANE 02503  
DEPT ALSO FOR CAP/VLC  
EO 12356: DECL: OADR

TAGS: MOPS, LA

SUBJ: SOTH PETHRASI: IN FIRSTHAND KNOWLEDGE OF U.S. POW/MIA'S IN LAOS

INFORMATION. EXCEPT THROUGH RADIO AND NEWS REPORTS FROM SAM NEUA, I REALLY DON'T KNOW ABOUT THESE FIGURES OR WHAT MAY HAVE HAPPENED TO THESE MEN. YOU MUST

~~CONFIDENTIAL~~

PAGE 02 VIENTI 02503 03 OF 03 120829Z

UNDERSTAND THAT MUCH OF WHAT WAS ANNOUNCED WAS FOR THE PURPOSE OF MODULIZING THE MASSES AND INSTILLING GREATER MORALE AMONG OUR FORCES.

END REP A QUESTIONS.

7. CHARGE ASKED SOTH IF HE HAD ANY GENERAL STATEMENT HE MIGHT WISH TO MAKE TO THE POW/MIA FAMILIES ON THE ISSUE OF POW/MIA'S IN LAOS. SOTH RESPONDED WITH SOME ELOQUENCE THAT HE HAD BEEN THE SPOKESMAN ON THIS ISSUE FOR MANY YEARS. HE SAID THAT WHENEVER THE FAMILIES WROTE HIM, HE ANSWERED. WHEN THEY CALLED BY PHONE, HE SPOKE DIRECTLY WITH THEM. WHEN THEY CAME TO LAOS, HE WELCOMED THEM AND TALKED PERSONALLY WITH THEM. HE FULLY UNDERSTOOD THEIR GRIEF AND LONGING FOR THEIR LOVED ONES. SOTH SAID, WITH SOME INTENSITY, THAT HE SPOKE WITH WHOLEHEARTED SINCERITY THAT THE LAO GOVERNMENT WAS COMMITTED TO COOPERATION WITH ALL COUNTRIES, AND IN PARTICULAR WITH THE U.S. ON THE POW/MIA ISSUE. THE WAR IS LONG OVER AND THE LAO DO NOT VIEW THE U.S. AS AN ENEMY. IN FACT, SOTH SAID THAT LAO-U.S. RELATIONS HAVE GREATLY IMPROVED AND ARE BECOMING INCREASINGLY CLOSER. THE LAO WOULD NOT IN THE PAST HAVE HAD THE CAPABILITY OR THE INTENTION TO KEEP LIVE POW'S IN LAOS AND THEY DO NOT

~~CONFIDENTIAL~~

PAGE 5

07/21/92 135541 PRINTER: HI

VIENTIANE 2503

~~CONFIDENTIAL~~ 7-21-92

NOW. SOTH EMPHASIZED THAT ALL THE POW'S HAD BEEN RETURNED AT THE END OF THE WAR AND THAT THERE ARE NO LIVE PRISONERS IN LAOS NOW. HE DISCOUNTED ANY POSSIBILITY THAT ANY FORMER PRISONER COULD HAVE SURVIVED ON HIS OWN IN THE REMOTE AREAS. SOTH URGED CHARGE TO 9. COMMENT: ALTHOUGH SOTH WAS CLEARLY IN FRAIL HEALTH,

~~CONFIDENTIAL~~

PAGE 03 VIENTI 02503 03 OF 03 120829Z  
HIS MIND AND MEMORY DID NOT APPEAR IMPAIRED. HE WAS VIGOROUS AND FORTHCOMING IN HIS RESPONSES AND SEEMED SINCERE IN HIS EFFORTS TO RECOUNT HIS ROLE IN THE NLHS AND HIS ACCESS TO INFORMATION. HE WAS PARTICULARLY EMPHATIC THAT HE HAD NO FIRSTHAND KNOWLEDGE OF PRISONERS AND ONLY RECEIVED THE INFORMATION FROM SAM NEUA. THAT MUCH OF THAT INFORMATION WAS PROPAGANDA FOR NLHS CONSUMPTION WAS CLEARLY EVIDENT, AND WAS SO STATED BY SOTH. HE ALSO EXPRESSED HIS UNDERSTANDING AND COMPASSION FOR THE POW/MIA FAMILIES AND HIS PROTESTATIONS THAT THERE ARE NO LIVING POW/MIA'S IN LAOS SEEMED INTENDED TO ASSUAGE THE FAMILIES' BEREAVEMENT AS MUCH AS TO ALLAY THE OFFICIAL CONCERNS OF THE USG.

9. WE DO NOT KNOW WHETHER OR TO WHAT EXTENT THE MFA HAD IT HAVE PREPPED SOTH FOR THE MEETING. ONLY MEA'S SAYAKANE AND BOUNTHON (BOTH RELATIVELY JUNIOR) SAT IN ON MEETING AND SOTH SEEMED OBLIVIOUS TO THEIR PRESENCE. IF SOTH WAS REHEARSED, HE PERFORMED CONVINCINGLY. STILL WE HAD THE IMPRESSION WHAT HE WAS SAYING WAS SPONTANEOUS. SOTH MADE A POINT OF EMPHASIZING THAT HE WAS 76 AND VISITED THE HOSPITAL ALMOST DAILY IN CONNECTION WITH BACK AND STOMACH PROBLEMS. THE IMPLICATION SEEMED TO BE WHY SHOULD I LIE WHEN I AM ABOUT TO DIE. ONE MIGHT ARGUE THAT THIS WAS THE PATHET LAO FLACK'S LATEST PERFORMANCE FOR HIS REGIME. BUT THE SINCERITY AND SPONTANEITY OF HIS STATEMENTS DO NOT APPEAR TO SUPPORT THIS ARGUMENT.

10. DEPARTMENT PLEASE CONVEY GIST OF FOREGOING TO CONGRESSMAN FRANK MCCLOSKEY WHO MADE STRONG PITCH TO SEE

~~CONFIDENTIAL~~

PAGE 04 VIENTI 02503 03 OF 03 120829Z  
SOTH DURING HIS VISIT TO VIENTIANE AND WHOSE INTERVENTION WAS IMPORTANT IN PERSUADING THE LAO TO AGREE TO THE MEETING. SALMON

~~CONFIDENTIAL~~

## HEARING ON THE UNITED STATES GOVERNMENT'S POSTWAR POW/MIA EFFORTS

WEDNESDAY, AUGUST 12, 1992

U. S. SENATE,  
SELECT COMMITTEE ON POW-MIA AFFAIRS,  
Washington, DC.

The committee met, pursuant to notice, at 9:55 a.m. in room SR-325, Russell Senate Office Building, Hon. John F. Kerry (chairman of the committee) presiding.

### OPENING STATEMENT OF HON. JOHN F. KERRY, U.S. SENATOR FROM MASSACHUSETTS

The CHAIRMAN. The hearing will come to order. I apologize to all for the delay. We were in Executive Session with the station chief from Laos and it took a little longer than we expected. And other Members are still, in fact, up there with him now, which is why we are only part of a committee here. But we are going to proceed so that we can get through today's schedule hopefully on time.

We welcome today General Leonard Perroots, who was DIA Director from 1985 to 1988, Richard Childress of the NSC staff during the Reagan administration, and Richard Armitage, who was in the Department of Defense during the course of the Reagan administration, all of whom had had responsibilities with respect to the POW/MIA issue.

Gentlemen, we welcome you today. I thank you for taking time. I know you have already spent time with the staff and we are appreciative to you for that.

If you would stand so that I could swear you in and then we will proceed.

Raise your right hands. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God.

General PERROOTS. I do.

Mr. CHILDRESS. I do.

Ambassador ARMITAGE. I do.

The CHAIRMAN. I understand, General, you will lead off with an opening statement and—

General PERROOTS. It is only appropriate.

The CHAIRMAN [continuing]. Others of you may have statements and then we will proceed. Thank you. Senator Smith, do you have opening?

Senator SMITH. I will defer for the moment.

The CHAIRMAN. Senator Brown?

Senator BROWN. No.

The CHAIRMAN. General?

**TESTIMONY OF LIEUTENANT GENERAL LEONARD H. PERROOTS,  
USA (Retired), FORMER DIRECTOR, DIA**

General PERROOTS. Mr. Chairman, if I look somewhat disheveled, I watched the hearings all night long. You're to be commended for the manner in which you conduct these investigations and the strength you have in continuing the effort so many long hours.

I'd like to begin by congratulating you and your committee for your efforts to shed more light on this critical and emotional POW/MIA issue, an issue that virtually dominated my thoughts and actions as Director of DIA for over 3 years.

I have earlier provided deposition to the committee as requested. However, in view of the subsequent recent developments resulting from your hearings on July 24, Mr. Chairman, I not only welcome the opportunity to appear here in open testimony, but contacted Senator McCain and requested that I be given an opportunity to address this committee to respond to certain allegations that were made during that session.

I felt I needed to do this to set the record straight. In this prepared statement, I will directly respond, point by point, to the questions that your committee staff provided. I am struck by the fact that by far most of the questions relate to my association with Mr. Ross Perot. After watching 6 hours of the testimony, I have a better understanding of why those questions appeared.

While I can understand the interest, indeed in some cases the relevancy of Mr. Perot's involvement as it applies to me and DIA under my tenure, I find it interesting that there were no questions regarding the multitude of significant initiatives which we undertook from 1986 to 1989 to improve our ability to support the POW/MIA effort.

I assure you, Mr. Chairman, that my comments here are not motivated by any desire for any agency or self-aggrandizement. However, it seems to me that as a result of so much notoriety regarding the negative aspects of this issue, especially as relates to Government support, there has been a growing sense out there in the hinterland of America that very little good work has been done to resolve this issue and that frankly, we just don't care.

It seems to me that in this climate of mistrust that it is appropriate, on occasion, to call attention to those very positive steps that were taken, steps that I continue to be very proud of. I believe that it is important that the American people know that there were and are dedicated, tireless and committed people in the Defense Intelligence Agency who have made and I'm sure continue to make magnificent contributions in supporting the POW/MIA effort.

I believe that they need to know that in view of the constant drum beat of criticism in the agency from the media and a variety of other sources including at times, some Members of this committee. Mr. Chairman, I'm not suggesting that there were not problems in DIA. There were problems. Many related to resource and organizational limitations from the late 1970's to the early 1980's.

But while I cannot speak for what transpired before 1985, I can categorically and proudly say we made a sincere effort to identify and scope those problems and to fix them.

So, Mr. Chairman, with the committee's indulgence, I'll briefly chronicle those achievements publicly for the American people as I respond to your prepared questions.

*Question.* What interaction did you have with Mr. Ross Perot?

*Answer.* My interaction began with my inviting Mr. Perot to join my DIA/POW advisory board. As I entered the office of Director, I wanted a group of talented and respected people from outside DOD to look over my shoulder, to have full access to our files and to provide me with an objective assessment of how I was doing my job and how I could do my job better.

Ross Perot already had a long-standing recognized sincere interest in the POW/MIA issue and he was one of my first candidates. Unfortunately, Mr. Perot said his duties precluded him from being a full-time member of the advisory board. He recommended his good friend, Brigadier General Robbie Risner for membership and of course I concurred.

However, Ross offered his assistance to me in support of my efforts whenever he had time and whenever he was in Washington. The White House had acknowledged Mr. Perot's efforts in support of the POW/MIA issue and commended him for his efforts.

In view of his past activities, I made a decision to provide him access and to keep him personally involved for our mutual benefit.

*Question.* What access to POW/MIA intelligence was Ross Perot given and for what period of time?

*Answer.* He had full and unrestricted access to all POW/MIA reports, regardless of classification and he had that access for the entire period I was Director.

What was the purpose of this access? Well, the purpose was multifaceted. First, he needed to observe what we were doing and how we were doing our job if he was going to be helpful. Second, I wanted to breathe fresh air into the process to attempt to allay once more the allegations that there continue to be some sort of a sinister cover up of data.

Third, I knew that Ross Perot had a network which provided him directly with information on the issue and frankly, I wanted to tap that source. Access to the files offered him an opportunity to cross-check information and solicit assistance from our analysts.

Fourth, Ross Perot had credibility. He had credibility. Particularly among family members who knew that he would objectively and vigorously pursue this issue. But simply, I wanted to exploit this reservoir of talent and support and I wanted him on our side.

Had Vice President Bush or the NSC authorized Perot's access? Soliciting Mr. Perot's support as a member of my advisory board and authorizing him access was my idea. I kept the Vice President apprised of all of our activity, including Mr. Perot's involvement, either through members of the NSC staff or personally.

Also, the Secretary of Defense, Mr. Weinburger, was aware and approved.

What impact that Mr. Perot's private negotiating forays into Vietnam have on the effectiveness of the U.S. Government's efforts to resolve the POW/MIA issue with Vietnam?

Well, I can't speak for the U.S. Government. My charter was to collect, evaluate and to report. I was not involved with policy matters. Mr. Perot's activities during my tenure had no adverse affect on my mission.

What was your involvement with Ross Perot in attempting to obtain a purported videotape of American POW's in 1986?

Well, we were both committed to obtaining the tape whatever it required. I believed it was necessary—I believe now it is necessary to chronicle developments related to the tape in order to understand our respective involvement.

On January 27, 1986, then Congressman Billy Hendon, hand carried to the White House a letter addressed to the President from Major (Retired) Mark Smith and his attorney, Mr. Mark Waple, in which they revealed the existence of a videotape which allegedly showed 39 American prisoners in captivity in Laos as recent as October 1985.

Mark Smith claimed that he had visited the mideast and viewed a copy of the tape in the presence of a mideast intelligence personnel. Now, the next day, on February 28, Mark Smith, in testimony before the Senate Veterans Affairs Committee, talked about the letter to the President and he promised to gain access to the videotape for the congressional committee Members within 1 week.

Now what followed was a period of frustration, as we never obtained a copy of the tape. I had pledged to Congressman Billy Hendon, who was working with Mark Smith, any support necessary, either personally from me or from my agency, to assist in the acquisition of that tape.

We contacted the mideast intelligence service which Smith had claimed has access to a copy. We were advised that they knew of no such videotape and stated that the meeting described by Smith could not have taken place. Nevertheless, nevertheless, I insisted that we continue to pursue acquisition of the tape aggressively.

On February 20, Congressman Hendon telephoned me at 2300 hours in my quarters and reported that Mark Smith was in Cyprus trying to obtain the videotape and needed some assistance to clear away some obstacles. I responded to his request and provided the support asked.

On February 28, another letter was delivered to the White House stating that Mark Smith had returned from a trip overseas with an offer which would have Congressman Hendon, then Congressman Bob Smith, now Vice Chairman, Mark Smith and Senator DeConcini travel to Southeast Asia to view the tape, after which they would be required to pay \$4.2 million in cash to take the original of the tape and other evidence.

On March 3, Congressman Hendon, Congressman Bob Smith, Mark Smith, along with attorney Mark Waple, met with representatives of DIA. The proposal as outlined in the letter of the President was presented to DIA by Congressman Hendon and Mark Smith. Hendon and Mark Smith were asked by DIA if they had any further information about the tape and both replied that they had names associated with the POW's shown on the tape.

However, when asked, both Hendon and Mark Smith refused to provide any of the names. I've always been at a loss to understand why Senator Smith was not able to exert sufficient influence on

Hendon and Mark Smith to convince them to turn over this potentially vital information to the governmental agency responsible for accounting for POW's.

As for my involvement with Mr. Perot in this effort, my recollection is that I discussed this tape with Mr. Perot as related to Government policy, a policy which precluded us from paying for information. I also recall Mr. Perot saying that he had talked with Vice President Bush and they had discussed the tape. I recall Mr. Perot informing me that he realized that this could be a scam, but stated that he agreed with me that we needed to pursue it. He indicated he would pledge the \$4.2 million in a safeway, payable only after full verification of its authenticity.

I considered his efforts to be a reflection of his patriotism and sincere concern over the issue and that still applies. He made no mention of any remuneration nor any offer by the Government for any payback.

I recall a memo which indicated that the Vice President has telephoned Congressman Hendon to inform him that Ross Perot had been asked to look into the latest reports of POW's in Southeast Asia and asked Mr. Hendon to cooperate with Mr. Perot to determine whether or not recent reporting was valid.

I know that Mr. Hendon was in touch with Mr. Perot during this period. I have recollection of Mr. Perot mentioning the possible allegation of funds for either transportation or to assist in the release of Mr. Obassy, alias Mr. Gregson who was in a Singapore jail for fraud charges. Now, this was the fellow who allegedly had the film, and as the committee knows, the tape was never made available by Mr. Obassy.

What was your role in the organization of the Tighe Commission in 1986 and what influence did you have on its conclusions and recommendations?

The answer to these questions, Mr. Chairman, are provided in General Tighe's own words from the forward of the Tighe Report. And I quote directly, General Perroots called me into the DIA for a lengthy discussion of this issue soon as he assumed his position as Director as DIA. He was determined to assure a thoroughly professional DIA effort.

I agreed to conduct an investigation at General Perroots' request, unquote. Now I use this direct quote to correct a misconception by some lately that the Tighe Task Force was somehow forced upon me.

Again, for emphasis. No one ever approached me to take on General Tighe. It was solely and exclusively my idea for good and honorable reasons. I made my case to General Tighe and he graciously accepted the offer. I might add that I took him on despite some trepidation by some outside the intelligence community that he might use this as an opportunity to foster his own views, regardless of the evidence.

For my part, as can be confirmed by the public record and by my good friend, General Tighe himself, I never questioned the honesty, integrity or motives of General Tighe and was pleased at his acceptance of my offer.

Now, as to what influence I had over its conclusions and recommendations. Well, the answer is absolutely none. General Tighe

and his people, as well as the review board, had total access to all of the files with no strings attached and the conclusions and recommendations were theirs.

Again, I quote from his own words in the report itself to illustrate that I offered absolutely no constraints. And I quote, the Director of DIA further insisted that my investigation go anywhere my findings took it. The charter emphasized that they were to look for any indication of any impropriety or cover up, end quote.

Now there was some discussion among the task force members over the wording of one important conclusion. The ultimate wording was and I quote, DIA holds information that establishes the strong possibility of American prisoners of war being held in Laos and Vietnam.

There were discussions over the word possibility versus probability and the addition of the words, of war vice the word simply prisoners. General Tighe ultimately agreed on the conclusion as currently written, that is, DIA holds information that establishes the strong possibility of American prisoners of war being held in Laos and in Vietnam.

Mr. Chairman, here's where I must publicly take issue with several of my dear friend General Tighe's remarks as your recent public hearing. This is difficult for me. First, concerning the dramatic announcement that was prompted by Senator Smith that he believed that his room was bugged and that it was the unanimous conclusion of task force members.

By the way, Mr. Chairman, since Senator Smith knew he was going to follow that line of questioning, it seems to me that it might have been more effective and enlightening if I would have been invited to appear with General Tighe during that public hearing. Perhaps that's not appropriate, but the thought occurred to me.

Mr. Chairman, I've been personal friends and continue to be personal friends with General Tighe for many years. He has consistently been complimentary toward my efforts in supporting the POW/MIA issue and I'm grateful for it. But I simply cannot let this bugging claim go unchallenged.

It is inconceivable to me, as it must be to you, that now, over 5 years later, the first mention of bugging is uttered. I have been in contact with General Tighe frequently over the years. He continues to be a member of the DIA Advisory Board at my recommendation. Never, never did he or any task force member mention that they had even a suspicion of any bugging of their facility.

Just 3 weeks ago, 3 weeks ago at Dulles Airport, the next morning after the hearing, I asked General Tighe why he had made this charge. He quickly responded that he knew that I had nothing to do with any bugging, that he was prepared to say that to anyone. I told him that wasn't the point. The point was that if there ever was even the suspicion that the room was bugged, no matter who bugged it, surely he would have told me and I firmly believe he would have.

It is inappropriate that I hear it over 5 years later in a public hearing. Also the statement by General Tighe that it was unanimous conclusion of all the task force members that the room was bugged is false. As Mr. Arthur Klos, a member of the task force

stated 2 days ago on August 10, 1992, quote, I cannot imagine who would want to bug the room or for what purpose, unquote.

Mr. Chairman, I can't imagine who or why that room would have been bugged. I asked for General Tighe to do the report. I asked for the review board to support the effort. None of these people are shrinking violets. None of them would hesitate telling me or anyone else their views. There's no need to collect their views via a bug.

Mr. Chairman, the thing that adds to this growing lack of confidence that the American people have about our public servants is this way this charge almost appeared to be staged and reacted to. Even the committee's response to the allegation, if you please, seem to imply acceptance of the charge before sufficient investigation was conducted.

Your reaction, as I recall, was something like, now things begin to make sense. Senator Grassley stated and I quote from the transcription, that is why people do not trust the Government and suspicions are created on efforts to resolve the issue, unquote.

Senator Smith stated and I quote, I was shocked to learn that the task force was being bugged, not allegedly bugged, was being bugged. I intend to ask for the identification of the individual who authorized the bugging of General Tighe's office, not the alleged bugging, but the bugging of General Tighe's office. All of the comments implicitly accept the allegation that there was a bugging.

Gentlemen, I do not believe there was. There is no evidence there was. And yet the American people again were left with a picture of a sinister operation by the Defense Intelligence Agency. And this is unfair. I don't have to tell you the responsibility to be fair and objective. And for the most part, you've demonstrated that capacity. I watched you for 8 hours and I command you for it.

Further, Senator Smith, I'm told, in DIA that they're waiting for that investigation that you were going to demand. I'm waiting for it too, because I'm demanding an investigation of that bugging.

Other comments made by General Tighe at that hearing need to be addressed. Again, Senator Smith prompted General Tighe with a question, where you denied information? Surprisingly, his response was, yes, I knew I did not have access to all intelligence information. Again, that's simply not true. I directed that all files or any other information that the task force or review board requested or needed be provided.

In that regard, it's interesting to note that General Tighe called for only 43 case history files for that entire period, files that he was most familiar with. The point is, the point is, I repeatedly asked General Tighe and the review group if they were getting the support they needed and never received anything but a positive answer.

Now gentlemen, again I remind you that the people involved are not timid. If there was any problem in getting necessary information, would they not have called attention to it and made it even a matter of record in the report? I'm sure they would have, because these are all men of integrity.

Again, I hear of this alleged problem for the first time over 5 years later. I cannot accept that. There were other references by General Tighe at the hearing that bothered me. He suggested that

he was surprised that I had what he described as my people on board the review group.

Let's review the makeup of the review group: General Russ Dougherty, a distinguished aviator and lawyer; General Robert Kinston, distinguished combat veteran and commander, and the first commanding officer of the JCRC—he also accompanied General Vessey on several trips to Hanoi; Lieutenant General Peter Flynn, distinguished aviator and ex-Vietnam POW; Lyman Kirkpatrick, a giant in the intelligence world; Brigadier General Robbie Risner, fighter pilot, ex-POW and a close confidante of Ross Perot; Major General Murray, a Vietnam veteran with special knowledge of Vietnam logistics.

These distinguished men belong to no one. They're in nobody's pocket. They are patriots with a strong commitment to this issue. Two of them spent years in north Vietnamese camps. They served with no strings attached and they knew it. I wanted the very best people I could find to provide an honest and objective review of our efforts and to characterize them as my men does a great disservice to them.

*Final question.* Where you satisfied with the attention and resources the POW/MIA issue was receiving during your tenure?

The answer to that question is yes, because I demanded attention and resources once I identified the problems in the agency. Early in my statement, I mentioned the many significant initiatives we accomplished in 3 short years. Let me briefly elaborate.

Early we concluded the range of investigations designed to identify for me the problem areas. You're familiar with the Gaines Report, you're familiar with the Tighe Report. We raised the national collection priority to priority one. Never before had that been done. It had been a five in the late 1970's under Gene Tighe. It was never above three.

We increased the number of people dedicated to the effort by over 300 percent. We brought on new fresh blood, both at the working and management level. There would be no tired analysts. We automated the entire data base for the first time. This greatly facilitated the analysis process.

At my request, my request, Mr. Casey, the DCI, authorized for the first time the creation of an intelligence community working group which I chaired. The purpose of this group was to ensure unified intelligence efforts and to constantly discuss ways to improve collection and analysis by the intelligence community.

We used to sit around and say, what can we do better to support this effort? Organizationally, we moved the POW/MIA division in DIA from under a directorate and elevated it to be directly under the command element for my personal scrutiny and support.

In response to criticism of debunking and by tired analysts, we established a procedure that required a review board to look at every case to determine the disposition and action. Thereby, no single analyst could ever made that determination again.

We implemented an aggressive analytical effort designed to identify the most probable areas of potential activity. All reports were considered valid in this review. My motive for this geographical clustering—I see you have one—as to identify the most likely areas

for any on the ground human collection effort, even if we had no hard specific evidence.

I introduced the new level involvement into the effort across the agency. Virtually all the Defense Intelligence Agency SES's or senior executive service people were asked to review and comment on the effort. We created and financed collection teams for increased on the ground interviews of refugees and other classified operations.

Now this capability remains in effect today. It's a significant accomplishment. We implemented an open door policy whereby any family member could talk to me personally, and day or day time of the day concerning our efforts or their concerns, and believe me, they exercised this policy frequently.

We energized a very special collection effort at NSA to accommodate one of General Tighe's chief concerns about our ability to get into a particular area.

We instituted an active program of briefing for the Congress to keep them apprised of our efforts and finally, we gave the POW/MIA effort full budgeting support out of the GDIP, the General Defense Intelligence Program, for any initiative. It was my number one priority for funding in the agency.

Now there are more. These are all self-imposed initiatives. They're not directed by anybody. They were made as a result of a sensitive, caring agency determined to do its very best to improve our support to this vital issue.

From a personal vantage point, few can truly appreciate the sense of commitment and responsibility I felt at this effort. I had to look those family members in the eye and pledge our best effort.

One needs to wear the mantle of responsibility to fully understand the impact of that responsibility. I spent hours lying awake at night trying to think of new ways I might improve the effort. I was haunted by the thoughts of some of my comrades in arms possibly being over there and by their suffering families who deserved every ounce of our energy and our commitment.

I still ask myself the question. What more could we possibly have done? But Senators, I can honestly say in retrospect, we gave it one hell of an effort and I'm so very proud of the men and women of DIA that responded tirelessly to my constant and often relentless demands and I feel certain that the same responsiveness prevails in the agency today.

Thank you for your kind attention.

[The prepared statement of General Perroots follows:]

## PREPARED STATEMENT

## TESTIMONY OF

Lt Gen (Ret) Leonard H. Perroots  
Former Director, Defense Intelligence Agency  
1985 -- 1988

## GIVEN TO THE

SENATE SELECT COMMITTEE  
ON POW/MIA AFFAIRS

12 AUGUST 1992

Mr. Chairman,

I would like to begin by congratulating you and your Committee for your efforts to shed more light on this critical and emotional POW/MIA issue; an issue that virtually dominated my thoughts and actions as the Director of DIA for over three years. I have earlier provided a deposition to the Committee, as requested. However, in view of subsequent recent developments resulting from your hearings on 24 July, I not only welcome the opportunity to appear here in open testimony but I contacted Senator McCain and requested that I be given an opportunity to address this Committee to respond to certain allegations that were made during that session. I felt I needed to do this to set the record straight.

In this prepared statement I will directly respond point by point to the questions your Committee Staff provided. I am struck by fact that by far, most of the questions relate to my association with Mr. Ross Perot. While I can understand the interest and indeed in some cases the relevancy of Mr. Perot's involvement as it applies to me and DIA under my tenure, I find it interesting that there were no questions regarding the multitude of significant initiatives which we undertook from 1986-1989 to improve our ability to support the POW/MIA effort. I assure you Mr. Chairman, that my comments are not motivated by any desire for any agency or self-aggrandizement. However, it seems to me that as a result of so much notoriety regarding the negative aspects of this issue, especially as relates to government support, there has been a growing sense out there in the hinterland of America that very little good work has been done to resolve this issue, and that we just didn't care -- it seems to me that in this climate of mistrust that it is appropriate on occasion to call attention to those very positive steps that were taken. Steps that I continue to be so very proud of.

I believe that it is important that the American people know that there were and are dedicated, tireless and committed people in the Defense Intelligence Agency who have made, and I am sure continue to make, magnificent contributions in supporting the POW/MIA effort. I believe that they need to know that, in view of the constant drumbeat of criticism of the Agency from the media and a variety of other sources including, at times, <sup>some members of</sup> this Committee. Mr. Chairman, I am not suggesting that there were not problems in DIA. There were problems, many related to resource and organizational limitations from the late 70's through the early 80's. But while I cannot speak for what transpired before 1985, I can categorically and proudly say we made a sincere effort to identify and scope those problems -- and to fix them. So Mr. Chairman, with the Committee's indulgence, I will briefly chronicle those achievements publicly for the American people as I respond to your prepared questions.

August 12, 1992

## 1. What interaction did you have with Ross Perot?

My interaction began with my inviting Mr. Perot to join my DIA/POW Advisory Board. As I entered the office of Director I wanted a group of talented and respected people from outside DoD to look over ~~our~~ <sup>my</sup> shoulder, to have full access to our files and to provide me with an objective assessment of how I was doing my job and how I could do my job better. Ross Perot already had a long-standing, recognized sincere interest in the POW/MIA issue, and was one of my first candidates.

Unfortunately, Mr. Perot said his duties precluded him from being a full time member of the advisory board. He recommended his good friend, Brigadier General Robbie Risner, for membership. However, Ross offered his assistance to me in support of my efforts whenever he had time and was in Washington. The White House had acknowledged Mr. Perot's efforts in support of the POW/MIA issue and commended him for his efforts. In view of his past activities, I made a decision to provide him access, and to keep him personally involved for our mutual benefit.

## 2. What access to POW/MIA intelligence was Ross Perot given, and what period of time?

He had full, unrestricted access to all reports, regardless of classification. He had that access for the entire period I was Director.

## 3. What was the purpose of his access?

The purpose was multifaceted. First he needed to observe what we were doing and how we were doing our job. Secondly, I wanted to breathe fresh air into the process, to allay once and for all the allegation that there continued to be some sort of a sinister cover-up of data. Third, I knew that Ross Perot had a network which provided him directly with information on the issue, and I wanted to tap that source. Access to the files offered him an opportunity to cross-check information and solicit assistance from our analysts. Fourth, Ross Perot had credibility, particularly among <sup>the</sup> family members who knew that he would objectively and vigorously pursue this issue. Put simply, I wanted to exploit this reservoir of talent and support.

## 4. Had Vice President Bush or the NSC authorized Perot's access?

Soliciting Mr. Perot's support as a member of my Advisory Group <sup>was not authorized by NSC</sup> was my idea. I kept the Vice President apprised of all of our activity including Mr. Perot's

involvement, either through members of the NSC staff or personally. Also, the Secretary of Defense, Mr. Weinberger, was aware and approved.

## 5. What impact did Mr. Perot's private negotiating forays into Vietnam have on the effectiveness of the USG's efforts to resolve the POW/MIA issue with Vietnam?

My charter was to collect, evaluate and report. I was not involved with policy matters. Mr. Perot's activities during my tenure had no adverse effect on my mission.

## 6. What was your involvement with Ross Perot in attempting to obtain a purported video tape of American POWs in late 1986?

We were both committed to obtaining the tape, whatever it required. I believe it is necessary to chronicle developments related to the tape in order to understand our respective involvement.

On 27 January 1986, then Congressman Billy Hendon hand-carried to the White House a letter addressed to the President from Major (Retired) Mark Smith and his attorney Mr. Mark Waple, in which they revealed the existence of a video tape which allegedly showed 39 American prisoners in captivity in Laos as recent as October 1985. Smith claimed that he had visited the Mid-East and viewed a copy of the tape in the presence of Mid-East Intelligence personnel.

The next day, 28 January, Mark Smith, in testimony before the Senate Veterans Affairs Committee, talked about the letter to the President and promised to gain access to the video tape for the congressional committee members within a week.

What followed was a period of frustration as we never obtained a copy of the tape. I had pledged to Congressman Billy Hendon, who was working with Mark Smith, any support necessary either personally from me or from my agency to assist in the acquisition of the tape. We contacted the intelligence service which Smith had claimed had access to a copy. We were advised that they knew of no such video tape and stated that the meeting described by Smith could not have taken place. Nevertheless, I insisted that we continue to pursue acquisition of the tape aggressively.

On 20 February, Congressman Hendon telephoned me at 2300 in my quarters and reported that Mark Smith was in Cypress trying to obtain the video tape and needed some assistance to clear away some obstacles -- I again pledged my full support.

On 28 February, another letter was delivered to the White House stating that Mark Smith had returned from a trip overseas with an offer which would have Congressman Hendon, then Congressman Bob Smith, Mark Smith and Senator DeConcini travel to South East Asia to view the tape after which they would be required to pay 4.2 million dollars in cash to take the original of the tape and other evidence.

On 3 March, Congressman Hendon, Congressman Bob Smith and Mark Smith, along with attorney Mark Waple met with representatives of DIA. The proposal as outlined in the letter to the President was presented to DIA by Congressman Hendon and Mark Smith. Hendon and Mark Smith were asked by DIA if they had further information about the tape and both replied that they had names associated with the PW's shown in the tape, however when asked, both Hendon and Mark Smith refused to provide any of the names. I have always been at a loss to understand why Senator Smith was not able to exert sufficient influence on Hendon and Smith to convince them to turn over this potentially vital information to the governmental agency responsible for accounting for PW's.

As for my involvement with Mr. Perot in this effort - my recollection is that I discussed this tape with Mr. Perot as related to government policy, a policy which precluded us from paying for information.

I also recall Mr. Perot saying that he had talked with Vice President Bush, and that they had discussed the tape. I recall Mr. Perot informing me that he realized that this could be a scam but stated he agreed with me that we needed to pursue it. He indicated he would pledge the 4.2 million in a safe way, payable only after full verification of its authenticity. I considered his efforts to be a reflection of his patriotism and sincere concern over the issue. He made no mention of any remuneration nor any offer by the Government for any pay back.

I recall a memo which indicated that the Vice President had telephoned Congressman Hendon to inform him that Ross Perot had been asked to look into the latest reports of POW's in South East Asia and asked Mr. Hendon to cooperate with Mr. Perot to determine whether or not recent reporting was valid. I know that Mr. Hendon was in touch with Mr. Perot during this period. I have a vague recollection of Mr. Perot mentioning the possible allocation of funds for either transportation or to assist in the release of Mr. Obassy, alias Mr. Gregson, who was in a Singapore jail for fraud charges. This was the fellow who allegedly had the film. As the Committee knows, the tape was never made available by Mr. Obassy.

August 12, 1992

7. What was your role in the organization of the Tigue Commission in 1986 and what influence did you have on its conclusions and recommendations?

The answer to these questions are provided in General Tigue's own words from the forward of the Tigue Report - "General Perrots called me in to the DIA for a lengthy discussion of this issue soon after he assumed his position as Director DIA. He was determined to assure a thoroughly professional DIA effort...I agreed to conduct an investigation at General Perrots' request." I used this direct quote to correct a misconception by some that the Tigue Task Force was somehow forced upon me. Again for emphasis -- no one ever approached me to take on General Tigue. It was solely and exclusively my idea for good and honorable reasons. I made my case to General Tigue and he graciously accepted the offer. I might add that I took him on despite some trepidation by some outside the intelligence community, that he might use this opportunity to foster his own views, regardless of the evidence. For my part, as can be confirmed by the public record and by General Tigue himself, I never questioned the honesty, integrity or motives of General Tigue, and was pleased at his acceptance of my offer.

As to what influence I had over its conclusions and recommendations -- the answer is absolutely none. General Tigue and his people, as well as the review board, had total access to all of the files with no strings attached and the conclusions and recommendations were theirs. Again I quote from his own words in the report itself to illustrate that I offered absolutely no constraints; "The Director DIA further insisted that my investigation go anywhere my findings take it." The charter emphasized that they were to look for any indication of impropriety or "cover-up."

There was some discussion among the Task Force members over the wording of one important conclusion. The ultimate wording was: "DIA holds information that established the strong possibility of American prisoners of war being held in Laos and Vietnam." There were discussions over the word possibility vs. probability, and the addition of the words, "of war" vics simply the word "prisoners." General Tigue ultimately agreed on the conclusion as currently written.

Mr. Chairman, here is where I must publicly take issue with several of my dear friend General Tigue's remarks at your recent public hearing.

First, concerning the dramatic announcement that was prompted by Senator Smith that he believed that his room was bugged -- and that it was the unanimous conclusion of the task force members. By the way Mr. Chairman, since Senator Smith knew he was going to follow that line of questioning, it seems to me that it would have been much more effective

and enlightening if I would have been invited to appear with General Tighe during the public hearing.

Mr. Chairman, I have been personal friends and continue to be personal friends with General Tighe for many years. He has consistently been complimentary towards my efforts in supporting the POW/MIA issue. But, I simply cannot let this bugging claim go unchallenged. It is inconceivable to me, as it must be to you that now, over five years later, the first mention of bugging is uttered. I have been in contact with General Tighe frequently over the years. Never, never did he or task force members mention that they had even a suspicion of bugging of their facility. Just three weeks ago at Dulles airport, one day after the hearing, I asked General Tighe why he had made this charge. He quickly responded that he knew that I had nothing to do with any bugging and that he was prepared to say that to anyone. I told him that was not the point. The point was that if there ever was even the suspicion that the room was bugged -- no matter who bugged it -- surely he would have told me, and I firmly believe he would have. It is inappropriate that I hear about it over five years later in a public hearing. Also, the statement by General Tighe that it was unanimous conclusion of all the task force members that the room was bugged is false. As Mr. Arthur Klos, a member of the task force stated on 10 August 1992, "I cannot imagine who would want to bug the room or for what purpose."

Mr. Chairman, I can't imagine who or why that room would have been bugged. I asked for General Tighe to do the report. I asked for the Review Board to support the effort. None of these people are shrinking violets. -- None of them would hesitate telling me or anyone else their views. There was no need to collect their views via a bug.

Mr. Chairman, the thing that adds to this growing lack of confidence that the American people have about their public servants is the way this charge was staged and reacted to. Even the Committee's response to the allegations seemed to imply acceptance of the charge before sufficient investigation was conducted. Your reaction as I recall was something like, "Now things begin to make more sense." Senator Grassley stated, "That is why people do not trust the government and suspicions are created on efforts to resolve the issue." Senator Smith stated, and I quote, "I was shocked to learn that the task force was being bugged. I intend to ask for the identification of the individual who authorized the bugging of General Tighe's office." All of the comments implicitly accept the allegation that there was a bugging. Gentlemen, I do not believe there was. There is no evidence there was -- and yet the American people were again left with a picture of a sinister operation by the Defense Intelligence Agency. This is unfair -- you have a responsibility to be fair and objective and for the most part you have demonstrated that capacity. Further, Senator

August 12, 1992

Smith, I am told in DIA that they are waiting for some word from you either demanding an investigation or demanding the identification of the individual who ordered it. What is the delay? I, for one, am now publicly demanding an investigation to clear-up this allegation.

Other comments made by General Tighe at that hearing need to be addressed. Again, Senator Smith prompted General Tighe with the question, "Were you denied information?" Surprisingly his response was, "Yes, I knew I did not have access to all intelligence information." Again, that simply is not true. I directed that all files or any other information the Task Force and Review Board requested or needed be provided. In that regard, it is interesting to note that General Tighe called for only 43 case history files -- files that he was most familiar with. The point is, I repeatedly asked General Tighe and the Review Group if they were getting the support they needed and never received anything but a positive answer. Now Gentlemen, again I remind you that the people involved are not timid. If there was any problem in getting necessary information, would they not have called attention to it and made it a matter of record in the report? I'm sure they would have, because these are all men of integrity. Again, I hear of this alleged problem for the first time over five years later. I cannot accept that.

There were other references by General Tighe at that hearing that bothered me. He suggested that he was surprised that I had what he described as my people on board the Review Group. Let's review the make-up of the Review Group.

- General Dougherty, ..... A distinguished aviator and lawyer.
- General Robert Kinston, ..... A distinguished combat veteran and commander and the first Commanding Officer of the JCRC. He also accompanied General Vessey on several trips to Hanoi;
- Lt. General Peter Flynn, ..... An ex-Vietnam POW;
- Lyman Kirkpatrick, ..... A giant in the intelligence world;
- Brigadier General Robinson Risner, ... An ex-POW and a close confidant of Ross Perot;
- Major General Murray, ..... A Vietnam veteran with special knowledge on Vietnam logistics.

These distinguished men belong to no one. They are patriots with a strong commitment to this issue. Two of them spent years in North Vietnamese camps. They served with no strings attached and they knew it. I wanted the very best people I could find to provide an honest and objective review of our effort. To categorize them as "my men" does a great disservice to them.

August 12, 1992

8. Final question: Were you satisfied with the attention and resources the POW/MIA issue was receiving during your tenure?

The answer to that question is yes because I demanded attention and resources once I identified the problems in the Agency. Early in my statement, I mentioned the many significant initiatives we accomplished in three short years. Let me briefly elaborate.

- a. Early on we conducted a range of investigations designed to identify for me the problem areas -- Gaines Report, Tighe Report, etc.
- b. We raised the national collection priority to Priority #1 -- never before had that been done. It had been a 5 in the late 70's under General Tighe and was never above a #3.
- c. We increased the number of people dedicated to this effort by over 300%. We brought on new fresh blood at both the working and management level.
- d. We annotated the entire data base for the first time. This greatly facilitated the analysis process.
- e. At my request, Mr. Casey, the DCI, authorized for the first time the creation of an intelligence community working group which I chaired. The purpose of this group was to insure a unified intelligence effort and to constantly discuss ways to improve collection and analysis by the intelligence community.
- f. Organizationally, we moved the POW/MIA Division from under a Directorate and elevated it to be directly under the command element for my personal scrutiny and support.
- g. In response to criticism of de-bunking by "tired analysts," we established a procedure that required a review board to look at every case to determine the disposition and action. Thereby, no single analyst could make that determination.
- h. We implemented an aggressive analytical effort designed to identify the most probable areas of potential activity. All reports were considered valid in this review. My motive for this geographical clustering was to identify the most likely areas for on-the-ground HUMINT collection effort, even if we had no hard specific evidence.

August 12, 1992

- i. I introduced senior level involvement into the effort across the Agency. Virtually all DIA SES's were asked to review and comment on the effort.
- j. We created and financed collection teams for increased on-the-ground interviews of refugees and other classified HUMINT operations -- this capability remains in effect today.
- k. We implemented an "open door policy" whereby any family members could talk to me personally - any day or any time of day - concerning our efforts or their concerns. Believe me, they exercised this policy frequently.
- l. We energized a special collection effort at NSA to accommodate one of General Tighe's concerns.
- m. We instituted an active program of briefings for the Congress to keep them apprised of our efforts.
- n. We gave the POW/MIA effort full budgeting support out of the GDIP for any initiative -- #1 Priority of my Agency.

These were all self-imposed initiatives. They were not directed by anyone. They were made as a result of a sensitive, caring agency determined to do its very best to improve our support to this vital issue.

From a personal vantage point, few can truly appreciate the sense of commitment and responsibility I felt to this effort. I had to look those family members in the eye and pledge our best effort. One must wear the mantle of responsibility to fully understand the impact of that responsibility. I spent hours lying awake at night trying to think of new ways I might improve the effort. I was haunted by the thought of some of my comrades-in-arms possibly being over there and by their suffering families who deserve every ounce of our energy and our commitment. I still ask myself the question, "What more could we possibly have done?"

But Senators, I can honestly say in retrospect, we gave it one hell of an effort, and I am so very proud of the men and women of DIA that responded tirelessly to my constant, and often relentless demands. I feel certain that that same responsiveness prevails at the Agency today.

Thank you for your kind attention.

The CHAIRMAN. Thank you very much, General Perroots. I appreciate that forceful testimony. Let me just service notice again. I was called on to do this yesterday and I am doing it today.

I do not do this with pleasure, but I am going to tell you, whoever in this audience chooses to respond in any way, positively or negatively to any testimony, we will ask you to be removed. The committee is going to do its work in dignified fashion and we will not have demonstrations in support or antipathy, one way or the other. The Sergeant at Arms is so noticed.

Mr. Childress, if you would give your opening statement, please.

**TESTIMONY OF RICHARD T. CHILDRESS, FORMER STAFF  
MEMBER, NATIONAL SECURITY COUNCIL**

Mr. CHILDRESS. Senator Kerry, Senator Smith, distinguished Members of the Senate Select Committee on POW/MIA's, thank you for this opportunity to appear before you to discuss the efforts of the executive branch from 1981 to 1989 to achieve the fullest possible accounting of American servicemen and civilians that remain unaccounted for as a result of the Vietnam War.

I recognize the tremendous responsibility this committee has undertaken on the POW/MIA issue. Your recommendations and conclusions will be significant, as will unintended consequences on American public opinion and decision making in Hanoi.

The focus of your questions to me concerned the involvement of Mr. Ross Perot. I took the liberty of providing a more omnibus statement to aid you from my perspective in understanding the context of his involvement as well as attempting to provide you with an overview where the Reagan/Bush administration began, what we went through, what we accomplished, some impressions on Vietnamese negotiating phases, the live prisoner issue and comments on the bureaucracy. I have attempted to answer your specific questions as best as I can recall, but the paper record would be the most accurate.

I do want to express issue concerns as well. The media has portrayed the committee's work as resolving the issue. Statements have been represented that it is time to get the issue behind us once and for all. I have a sense of *deja vu*, for I felt the issue could be resolved on my watch as well and that involved over 7 years of intense negotiating efforts.

As you know, current media sentiments ignore Vietnamese knowledgeability and assume the answers are all in Washington. In the end, we're still left with the same hard facts. Vietnam can easily account for hundreds of Americans that have not yet exercised the requisite will to do so.

In spite of a lot of publicity about Vietnamese cooperation lately, from the measure of resolving cases, it is clearly meager. In my larger testimony, I outlined why this is not a new pattern. President Reagan assumed office with a personal commitment to resolving the issue and made public statements concerning it in the 1970's.

Under this commitment, the administration was determined to pursue the issue as a matter of highest national priority during his term in office. Frankly, a mess was inherited. No policy level nego-

tiations were ongoing, intelligence priorities were at an all-time low, the previous administration had adopted a position endorsed by a House select committee and Presidential commission that there was no credible evidence that anyone remained alive in Southeast Asia and remains recovery was problematic at best.

The JCRC in Bangkok was staffed with two personnel with no direct administrative support or even a vehicle. The central identification lab was undermanned, thousands of refugees had not been and were not being debriefed. The DIA had a small core of analysts who felt the office was going to be closed completely in the 1970's. The National League of Families had been demonstrating in front of the White House as well as foreign missions, did not trust the Government, and although a member of the Inter-Agency Group, they did not consider it effective.

Government-provided transportation for the families to come to Washington for briefings had been halted in the 1970's. The only organized congressional interest being shown was by the House subcommittee on Asian-Pacific affairs and the House POW/MIA task force.

Private Americans were attempting to organize Rambo-like raids. Live sighting reports were randomly classified, if at all, and there was little general public interest even among many veterans' groups. I could go on but the challenges were immense.

How we tackled and met the above challenges is in my testimony. The committee asked several questions concerning Mr. Ross Perot and the larger testimony was provided so the committee could put his involvement in the overall context of the issue and our negotiations.

I had contact with Mr. Perot briefly on three occasions, two phone conversations, one in 1984 and another in, I believe, 1985 and an almost 2-hour briefing with Mr. Perot in the Pentagon. I believe I was called over by General Shufelt at DIA at the time. Mr. Perot wanted to talk to me about our policy and strategy.

I have no first-hand knowledge of precisely how long Mr. Perot had access to POW/MIA intelligence or what access. General Perroots, I think, has answered that question. I understood from DIA that Mr. Perot was invited to participate as a member of the Tighe review group, but declined and nominated, or accepted, then declined and nominated Brigadier General Risner to take his place.

The policy community was generally proud of the progress we had made up to this point in comparison to 1981, when we believed Mr. Perot had left the issue. There was a general feeling that given his public posture, providing Mr. Perot access to see how far we had progressed would be positive in building greater public support for the priority.

I have no first-hand knowledge of any direct taskings to Mr. Perot by the President or the Vice President. It's my clear impression, however, that Mr. Perot was discouraged from going to Vietnam in the spring of 1987 and that if he insisted on going, it was to be as a private citizen, since we had already selected General Vessey months prior as the President's emissary to Hanoi. General Vessey had accepted the mission, was already in the research phase prior to his projected travel.

Upon Mr. Perot's return from Vietnam, as I recall, he was debriefed in early April concerning his trip. He also asked to meet with the President which was scheduled, I believe, in May. I was tasked to prepare the meeting documents for the President from the National Security Advisor, which included suggested talking points.

As I understand the purpose of the meeting, it was to allow Mr. Perot to directly brief the President on his trip to Hanoi. I did not attend this meeting. I did see his written report after the meeting. I was told that in addition to receiving Mr. Perot's briefing, it was emphasized again that General Vessey was our emissary to Hanoi.

It is my opinion, in response to your question, that Mr. Perot's trip was counterproductive to U.S. efforts. The Vietnamese at the time had not been informed an emissary had been appointed by the President, as that was to be the task of the advance delegation after assurance that Hanoi was prepared to receive General Vessey on a humanitarian basis.

The Vietnamese were undoubtedly aware of Mr. Perot's public posture in the press and his access, thus his trip could have been interpreted as official. More importantly, he reportedly told the Vietnamese of General Vessey's appointment and held broad ranging discussions on Vietnamese economic and political goals which implied direct linkage.

In addition, when he returned, derisive press reports about the Department of State and previous U.S. negotiating team members were published. Confusion reigned for a while. We answered questions in White House and State press conferences to clarify Mr. Perot's private status. We also had to answer Vietnamese concerns who appeared confused as well.

In my written testimony I described the hostile reception accorded Vessey's advance delegation after Mr. Perot's trip.

Concerning the question of resources and attention, the answer is evident in my testimony; few resources and less attention were being brought to bear on the issue when the Reagan/Bush administration assumed office. We went from ground zero to a national priority program in less than 3 years.

It was gratifying to me during this period that I had complete and total support from both President Reagan and Vice President Bush. They were personally interested, committed and supportive. In addition, each of the National Security advisors provided encouragement, resources and commitment to the issue.

Due to the functional nature of the POW/MIA issue, it cut across departmental and agency lines. The Secretaries of State and Defense were all behind the effort and supported the upgrades in personnel, intelligence priorities, public awareness, outreach to families and diplomatic initiatives.

Importantly, on the IAG, where policy initiatives were hammered out, we had staunch advocates on the issue. It was a coherent team that could disagree, coordinate—

The CHAIRMAN. Let me just ask, Mr. Childress, I notice that you have a long statement and I notice that you are going line for line at this point. Is this a summary?

Mr. CHILDRESS. No. I've got about that much left (indicating).

The CHAIRMAN. Well, that is terrific.

Mr. CHILDRESS. I was not going to do 13 single-spaced pages. Senator SMITH. Long statements come from Senators around here.

Mr. CHILDRESS. Importantly, on the IAG where policy initiatives were hammered out, we had staunch advocates of the issue. It was a coherent team that could disagree, coordinate and re-agree without rancor because we had the same objective.

In the middle of all of this was Ann Mills Griffiths prodding, suggesting, criticizing and pitching in to help. In terms of resources, we've more than tripled manpower during this period. Money, not budgeted, was found by the departments for all the initiatives. We were able to pursue the issue without compromising other national objectives.

Additional resources were contemplated or planned, depending on Vietnamese agreements. The results of our efforts brought final answers to approximately 175 families. We negotiated the return of a private American who many believed was dead and made the POW issue one of priority. This is a legacy in which we feel pride.

I welcome your questions.

[The prepared statement of Mr. Childress follows:]

Testimony of Richard T. Childress  
 Former Staff Member  
 National Security Council (1981-89), for the  
 Senate Select Committee on POW/MIA Affairs  
 12 August 1992

Senator Kerry, Senator Smith, distinguished members of the Senate Select Committee on POW/MIAs, thank you for this opportunity to appear before you to discuss the efforts of the executive branch from 1981-1989 to achieve the fullest possible accounting of American servicemen and civilians who remain unaccounted for as a result of the Vietnam War.

I believe my biography is with the Committee. I was assigned to the National Security Council in the fall of 1981. Although the purpose of my assignment was to work in Asian Affairs at the NSC, my initial task (approximately three months) was to aid the administration's task force on the sale of AWACs to Saudi Arabia. I assumed responsibility for POW/MIA Affairs in January 1982. At the time I served at the Deputy Director level. I was subsequently designated as Director, Political-Military Affairs (November 1984) and my title was changed to Director, Asian Affairs, in March 1986. Despite the title changes, my responsibilities included POW/MIA from January 1982 onward until my departure and retirement from active military service and the NSC at the end of February 1989.

To aid you in your important work, I believe it important to describe the environment surrounding this issue which the Reagan/Bush administration inherited, what we did to correct it, and our experience in implementing our program through the period. I have attempted to answer your questions best as I can recall, but obviously paper records provide a specificity that memory does not.

President Reagan assumed office with a personal commitment to resolving the issue and had made public statements concerning it in the 1970s. Under his commitment, the administration was determined to pursue the issue as a matter of national priority during his term in office. Frankly, a mess was inherited. No policy-level negotiations were ongoing, getting information on POW/MIA was an all-time low intelligence priority, the previous administration had adopted a position endorsed by a House Select Committee and a Presidential Commission that there was no credible evidence that anyone remained alive in Southeast Asia and remains recovery was problematic at best, the JCRC in Bangkok was staffed with 2 personnel with no direct administrative support or a vehicle, the Central Identification Laboratory was undermanned,

thousands of refugees had not been and were not being debriefed, the DIA had a small core of dedicated analysts who felt the office was going to be closed completely in the 1970s.

The National League of Families had been demonstrating in front of the White House as well as foreign missions, did not trust the government, and although a member of the IAG, they did not consider it an effective policy body. Government-provided transportation for the families to come to Washington for briefings had been halted in the 1970s.

The only organized Congressional interest being shown was by the House Subcommittee on Asia/Pacific Affairs and the House POW/MIA Task Force while private Americans were attempting to organize Rambo-like raids; live-sighting reports were randomly classified, if at all, and there was little general public interest even among many veterans groups.

I could go on, but the challenges were immense.

#### 1981-1983

During this period, a concentrated effort was made to begin addressing the myriad of hurdles we faced. Before I assumed my duties, the Interagency Group adopted policy proposals in 1981 that would form the basis of further development of a national strategy that was implemented by 1982 and can be summarized in the following basic points:

- High-level public policy statements were needed that would signal the Indochinese governments and others that things had changed and the issue was back on the U.S. agenda.
- Policy-level negotiations had to be opened with Vietnam and Laos.
- A bipartisan approach was needed so the strategy would be sustainable from administration to administration.
- A public awareness campaign was needed and was to be implemented through speeches, written materials and public commemorations.
- The issue had to be defined as humanitarian to minimize attempts by Hanoi to link the issue to other political issues and allow direct negotiations without alarming our allies facing over 250,000 Vietnamese occupation troops in Cambodia.
- Intelligence priorities had to be upgraded.

- Diplomatic approaches towards other countries requesting their help to urge cooperation from Vietnam and Laos were required.
- Integration of the National League of Families into our strategy and better communications with the families was needed in order to rebuild trust of those who had the most to gain or lose.
- Private irresponsible activities, such as cross-border forays, had to be actively discouraged while accepting information from any source.

By the end of 1983, President Reagan had made two major public addresses on the issue; as had the Secretary of Defense, the Secretary of State, the National Security Advisor and the Chairman of the Joint Chiefs.

Richard Armitage led the first policy-level delegation in years to Hanoi in 1982, a four-member delegation of the National League of Families visited Vietnam and Laos in September of 1982 in coordination with the administration. Deputy Assistant Secretary of State O'Donohue traveled to Laos following the League trip and presented the Lao with a roadmap to improved relations and flagged the need for concrete POW/MIA cooperation. The Vietnamese agreed to increase the number of technical meetings and with the aid of the League Executive Director, Ann Mills Griffiths, I met for an extended informal dinner with Foreign Minister Thach in October 1983, the highest level meeting since the end of the war. The purpose was to urge mutual Vietnamese cooperation to resolve the issue, establish direct and open dialogue on U.S. expectations and set the stage for sustained high-level policy negotiations in the future.

Contact was increased with the Congress to brief them on our program and solicit full bipartisan support. The public awareness campaign was launched through the aforementioned speeches, supplemented by visits to veterans groups, holding of POW/MIA Recognition Day Ceremonies, the adoption of a national POW/MIA poster, the publication of a DOD Fact Book, media briefings, the flying of the League POW/MIA flag over the White House, Pentagon, State Department and Vietnam Veterans Memorial on POW/MIA Recognition Day.

Importantly, during this period, we raised the intelligence priorities, rewrote the intelligence collection plans to include POW/MIA, reinvigorated the refugee interviewing process and flagged the issue as a priority in national-level intelligence taskings. In addition, based upon the discrepancy cases at the end of the war, unresolved live-sighting reports and the history of Vietnamese manipulation of the issue, we changed the Carter administration live prisoner position from "no credible evidence" to the current position:

"Although we have thus far been unable to prove that Americans are still detained against their will, the information available to us precludes ruling out that possibility. Actions to investigate live-sighting reports receive and will continue to receive necessary priority and resources based on the assumption that at least some Americans are still held captive. Should any report prove true, we will take appropriate action to ensure the return of those involved."

In the ASEAN meetings and bilaterally with other countries, to include the USSR and the PRC, the issue was raised and briefed with requests for support and information.

We reached out to the National League of Families and briefed them on our plans and priority. We acknowledged the errors of the 1970s and pledged our support to them. We told the families at meetings of the covert nature of the war in Laos and Cambodia and added the Lima Site 85 numbers to the official list of those missing and unaccounted for in SEA. I personally visited the League Executive Director and her staff early in 1982 to ask they provide recommendations, many of which went into our national strategy. The Deputy National Security Advisor met with the League Board and received further recommendations which were tasked to the administration by the National Security Advisor in 1982. We pledged to include the League as well in our negotiations and make them a fully equal party in our IAG policy formulation. We dispatched casualty officers and other briefers to League regional meetings and reinstated COIN-Assist transportation for the families to come to Washington for government briefings.

We felt the most effective way to discourage private irresponsible efforts was to demonstrate government seriousness on the one hand, while signaling various organizations or individuals that we would accept information from them and cooperate with them as long as they did not break the law and would turn over any information they received.

#### 1983-1985

During this period, our strategy deepened and we began to get accelerated concrete results from our efforts. On the technical level, frequency of meetings increased, unilateral repatriation of remains from Vietnam were the highest since the end of the war. Intelligence information increased. We entered into sustained policy-level negotiations on a plan with Hanoi to resolve the issue within two years. Sensitive dialogue on the need to resolve the live prisoner issue as a first priority was fully developed and the administration communicated this to the Vietnamese from the Cabinet level as well.

The Lao agreed in 1983 to the first technical meeting since the end of the war and despite an almost one year interruption caused by a cross-border foray by Mr. Gritz who falsely claimed government support, the first excavation was conducted in Laos in February 1985. In 1985, the Lao agreed to more excavations and policy dialogue increased in intensity and expanded to the Under Secretary of State level.

#### 1985-1987

Encouraged by apparent Vietnamese agreement to finalize the two-year plan, the highest level delegation to go to Vietnam since the end of the war arrived in Hanoi, led by Assistant Secretary of Defense Richard Armitage and Assistant Secretary of State Paul Wolfowitz in 1986. Our hopes became dashed after our return, for despite Vietnamese pledges to treat the issue as humanitarian, they attempted to subvert the plan with political and other linkage. In October of 1986, Deputy Assistant Secretary Monjo led a delegation to New York to meet with senior Vietnamese officials to attempt to overcome the hurdles. I met afterwards with the same senior officials and the League Executive Director for an extended session to determine Vietnamese objections. Upon my return to Washington, it was obvious to all that the initiative was dead.

We then began discussions through the IAG in Washington on how to proceed. We agreed on the need to keep the issue humanitarian, but attempt to respond to Vietnamese expressed humanitarian concerns and raise the level of our representation to signal the administration's serious intent. The President agreed upon the conceptual recommendation to appoint a Presidential Emissary in October 1986. We felt it should be someone closely identified with the President, who understood the issue and would have credibility with the Vietnamese.

At the time, it was envisioned that the emissary would be a temporary assignment in order to reach high-level agreements necessary to reinstitutionalize the process. General Jack Vessey was asked in January 1987 if he would serve in this capacity and he accepted the job in early February. General Vessey had held a long, dedicated interest in the issue during his time as Chairman of the Joint Chiefs of Staff and is a man of known integrity. He was recommended by the League Executive Director and all concurred in his selection. General Vessey began his preparations and the government began to look at new initiatives that he could take with him to Hanoi. They were approved by the President, the Vice President and the Cabinet.

Since the Vietnamese had attempted to politicize the issue during the two-year plan negotiations, it was agreed that an advance interagency delegation would seek to travel to Hanoi

before General Vessey in order to firmly establish his charter as non-political, while indicating the United States was prepared to discuss Vietnamese humanitarian concerns. After some delay, the Vietnamese agreed to receive the advance delegation which I led to Hanoi in May 1987. Having met with the Vietnamese ten times for extended meetings and negotiations at high levels in both New York and Hanoi, I was shocked at their attitude. They exhibited hostility and obstinacy that I had never before encountered. Their initial response was that they saw nothing new in the proposal and they appeared to threaten rejection of the President's initiative. I indicated that this was a serious initiative and in their interest to accept, but if they did not accept it, I would inform the administration of their decision. They finally agreed to consider the request. Through message follow-up, the Vietnamese finally agreed to accept General Vessey and he led a delegation to Hanoi in August 1987 with unanimous resolutions of support from both Houses of Congress. Vietnam agreed during this meeting to resume POW/MIA cooperation and to focus their initial efforts on the representative discrepancy cases which we had selected for discussion. Throughout the remainder of the year, General Vessey met again with the Vietnamese, supplemented by an IAG delegation and expert teams on the POW/MIA issue and the issue of providing prosthetics support to Vietnamese citizens.

With Laos, policy-level meetings continued at a high level on discrepancy cases, another excavation was conducted with concrete results. Cooperation then slowed in 1986.

#### 1987-89

General Vessey's work began to show significant results in 1988 as unilateral remains repatriations resumed in larger numbers than previously seen, the Vietnamese agreed to greater access and joint investigations. Once again during 1988, Vietnam attempted linkage which caused a temporary delay in cooperation. But 1988 became the high point in case resolution to date. The Vietnamese have once again scaled back the repatriation of remains in 1989 and it is now at an all-time low since 1982.

Further policy-level meetings were held with the Lao in 1987 and cooperation was resumed. Laos unilaterally turned over two remains they recovered, joint surveys increased, crash site excavations resumed and greater focus was brought to bear on discrepancy cases in Laos. With Laos it is now at an all-time high.

#### Mr. Ross Perot

The Committee asked several questions concerning Mr. Ross Perot, and the foregoing was provided so the Committee could

better put Mr. Perot's involvement in the overall context of the issue and our negotiations.

I recall only three occasions when I had direct interaction with Mr. Perot. Two phone conversations and a meeting that lasted 1-2 hours. The first phone call was in late 1984 soon after a Wall Street Journal article was published concerning Mr. Robert Garwood's assertions that after many years of denial he now claimed firsthand knowledge of Americans in captivity in Vietnam. Mr. Perot was concerned about the report and indicated his readiness to go to Vietnam. His suggested approach was a direct cash offer for the return of anyone there as a prisoner and he and his delegation would sort out the deserters.

The second conversation was sometime in early 1985 when some in Congress and the private sector were pushing for another national POW/MIA commission to be headed by Mr. Perot. All that I recall from the conversation is that he wanted the White House to know that he did not wish to serve unless asked by both the Senate and the House and the President.

My third interaction took place, I believe, in the fall of 1986. It was in the Pentagon. During this period, Mr. Perot was getting briefings, etc., from DIA and other agencies and asked if I could come to the Pentagon and brief him on negotiations and policy.

I have no firsthand knowledge of precisely how long Mr. Perot had access to POW/MIA intelligence or what access. I believe the access lasted most of the year 1986 and I personally know of no limitations. I understand Mr. Perot was invited to participate as a member of the Tighe Review Group, but declined and nominated Brigadier General Reisner to take his place. The policy community was generally proud of the progress we had made up to this point in comparison to 1981, when we believed Mr. Perot had left the issue. There was a general feeling that given his public posture, providing Mr. Perot access to see how far we had progressed, would be positive in building greater public support for the priority.

I have no firsthand knowledge of any direct taskings to Mr. Perot by the President or the Vice President. It is my clear impression, however, that Mr. Perot was discouraged from going to Vietnam in the Spring of 1987 and that if he insisted on going it was to be as a private citizen, since the President had already selected General Vessey as the President's Emissary to Hanoi. General Vessey had accepted the mission and was in the research phase prior to his projected travel to Hanoi.

Upon Mr. Perot's return from Vietnam, as I recall, he was debriefed in early April concerning his trip. He also asked to meet with the President, which was scheduled, I believe, in May. I was tasked to prepare the meeting documents for the President from the National Security Advisor which included suggested talking points. As I understood the purpose of the meeting, it was to allow Mr. Perot to directly brief the President on his trip to Hanoi. I did not attend the meeting. I did see his written report after the meeting. I was told that in addition to receiving Mr. Perot's briefing, it was emphasized again that General Vessey was our emissary to Hanoi.

It is my opinion, which you requested, that Mr. Perot's trip was counterproductive to U.S. efforts. The Vietnamese at the time had not been informed that an emissary had been appointed by the President, as that was to be the task of the advance delegation after assurance that Hanoi was prepared to receive General Vessey on a humanitarian basis. The Vietnamese were undoubtedly aware of Mr. Perot's public posture in the press and his access, thus his trip could have been interpreted as official. More importantly, he reportedly told the Vietnamese of General Vessey's appointment and held broad-ranging discussions on Vietnamese economic and political goals which implied direct linkage. In addition, when he returned, derisive press reports about the Department of State and previous U.S. negotiating team members were published. Confusion reigned for awhile. We answered questions in White House and State press conferences to clarify Mr. Perot's private status. We also had to answer concerns of the Vietnamese who appeared confused as well.

I previously described the reception accorded the advance delegation for General Vessey's visit which was unprecedented in its stiffness.

#### Attention and Resources to the Issue

As is evident in the previous narrative, little attention and resources were being brought to bear on the issue when Reagan/Bush assumed office in 1981. We went from ground zero to a national priority program in less than three years. It was gratifying to me during this period that I had complete and total support from both President Reagan and Vice President Bush. They were personally interested, committed and supportive. In addition, each of the National Security Advisors provided encouragement, resources and commitment to the issue.

Due to the functional nature of the POW/MIA issue, it cut across departmental and agency lines. The Secretaries of State and Defense were all behind the effort and supported the upgrades in personnel, intelligence priorities, public awareness, outreach to the families and diplomatic initiatives.

Importantly, on the IAG, where policy initiatives were hammered out, we had staunch advocates in Richard Armitage, Paul Wolfowitz, Gaston Sigur, Dave Lambertson and many others. It was a coherent team that could disagree, coordinate and reagree without rancor because we had the same objective. In the middle of us all was Ann Mills Griffiths -- prodding, suggesting, criticizing and pitching in to help.

In terms of resources, we more than tripled manpower during the period, budget money, not budgeted, was found by the departments for all of the initiatives. We were able to pursue the issue without compromising other national objectives. Additional resources were planned and contemplated depending on Vietnamese agreements. I understand that manpower has again increased dramatically due to Vietnamese pledges of cooperation and as perceived operational needs increased.

#### The Environment

The brief rundown on the 1981-89 period should not portray to anyone that it was in isolation or without tremendous pressures from all sides.

Due to the lack of previous priority, Rambo operations had begun in the late 1970s and scriptwriters in Hollywood were at work on the theme in the early 1980s. The movie industry, the tabloids, the talk shows, and national network news programs, such as "20/20" and "60 Minutes," had a field day in the mid-1980s reporting alleged conspiracies or cover-ups.

Domestically, we were initially supported from the political left for opening talks -- when they found out we were serious, they began to report that the issue was false, while extremists from the "fever swamps" continued the conspiracy themes.

Personal attacks on those working the issue escalated, threats by phone and mail were received, harassment calls at home increased, packages showed up at homes, bomb squads were called out. The Lao Embassy was subjected to tremendous harassment, the National League of Families' office was forcibly taken over and outlandish rumors floated that prisoners were available, but would only come out just before the 1984 election, and that 5,000 more MIAs should be on the official list. Stories circulated that some POWs had returned, but given new identities by the government. Threats to kidnap Vietnamese diplomats at the UN were made, dark tales that drug conspiracies were somehow preventing POWs from returning were given wide circulation. Direct-mail fund-raising on the issue increased with outlandish contents to get contributions for supposed operations that were on the verge of bringing home a prisoner. New MIA organizations that purported to represent the families or veterans began popping up like tulips, only to wilt and come back under a new name.

Throughout the period, conscientious government officials in the departments and agencies continued their work, at times temporarily demoralized and alarmed, but dedicated. The government attempted to counter the nonsense through Congressional hearings, press releases, critiques of news shows and press briefings, but the beat rolled on. In the public mind, in the media's mind and in some of the Congress, zeitgeist was substituted for facts.

In addition to the domestic challenges, the issue was subject to hostile intelligence, false reporting for resistance political objectives, false evidence, pictures and fingerprints. Think tanks became interested in the issue, and simplistic solutions were proclaimed without understanding of the facts of the issue. Business pressures began to increase to drop the trade embargo as if Vietnam were a gold mine waiting to be tapped. Both trends, I believe, led some in Vietnam to believe that waiting was an option between spurts of cooperation that revealed they knew much more on those still missing.

The foregoing is a small taste of what I remember of the environment in which we worked, but despite this, the real measure we looked towards was final answers. For approximately 175 families from 1981 until I left the end of February 1989, they received them. We also negotiated the only release of an American citizen during the period, despite conventional wisdom that this adventurer looking for his previous love was at the bottom of the sea.

#### Negotiating with Vietnam

We recognized from the outset that reopening negotiations with Vietnam was a potential minefield. They remained in Cambodia with approximately 250,000 troops, Laos was essentially tied to them for security reasons as a landlocked country and our ASEAN friends, Cambodians and those supporting a comprehensive settlement needed reassurance. They hoped that opening dialogue with Vietnam on humanitarian issues did not mean the U.S. was going to weaken them by reinforcing the chauvinist side of the Vietnamese Politburo and we would be able to maintain both necessary commitments.

We went to great pains to reassure our friends and allies that this issue was one of highest priority, that it did not have to be in conflict with a settlement in Cambodia, we would keep them informed and in the long run it was in everyone's interest for such dialogue. Vietnam obviously welcomed our initiative after the lack of contact for so many years, and the earliest informal U.S.-Vietnamese discussions on Cambodia also ensued, albeit without headlines. Our basic message to the Vietnamese was that it was in their interest to seriously

cooperate on the POW/MIA issue, especially discrepancy cases and attempt to resolve them prior to a settlement in Cambodia, as it would surely be a political obstacle without their full cooperation.

The split Politburo, as it remains now, exacerbated by the collapse of their economy and the Soviet Union, could not bring the political will to bear to resolve the issue in a sustained and credible way while I was at the NSC. The starts and stops, for a myriad of reasons, reflected the internal debate as to whether President Reagan could normalize with political immunity in the Nixon-China model or as some felt, should they hold out for concessions. The U.S. domestic scene, as described earlier in its rainbow colors, reinforced the conservatives. They continued to allow some exposing of Vietnamese knowledgeability to indicate their potential, but not to come completely forward. Those in Hanoi who argued that POW/MIA was a wasting asset and it should be dealt with rapidly were relegated to fits and starts of cooperation. The streams of excuses to us were met head on, responded to when real and rejected when political or obligatory.

During the 1981-89 period, I am confident that the Vietnamese knew of our seriousness and knew that all incentives were on the table to come forward and negotiate. They also knew that the Reagan/Bush administration did not lie to them and was straightforward concerning potential benefits that could accrue if they participated in a real healing between our countries.

One of the last excuses raised was the U.S. was in fact raising hurdles, moving goal posts and this was unpredictability from the U.S. side. It wasn't long until these same words were being repeated domestically. Thus the roadmap emerged from the more general messages previously given and well understood by Hanoi.

If Vietnam believes in our unity of purpose on this issue, and that a bipartisan majority will ensure the required U.S. steps for Vietnam in the roadmap will be fulfilled, there is hope that Vietnam will respond in a sustained manner. To the extent that they are confused as to who is in charge or that the body politic of the U.S. is once again splitting over responses to Vietnam, whether from guilt, commitment or nonsense, they will continue to either split or believe our perceived divisions are opportunities.

Given my experience, we should never take Vietnamese pledges, promises or excuses at face value. There are messages there, but they need to be read for what they mean during the timeframe they are given, from what level or agency as well.

Unlike us, they do not have to live with their words forever, for they represent tools to national goals, not pledges in the Western sense. They view it as patriotic deeds to national survival. It is not evil, it is reality.

#### The Bureaucracy

In making the POW/MIA issue a national priority, we faced the same problems any new priority faces -- especially for a new administration.

People were used to operating a certain way and with a certain pace. No one is initially sure if the priority will last. This type of inertia, especially given the inherited conventional wisdom from the 1970s is natural. I've heard that the internal Pentagon investigations and those they invited from outside to look into their operations were raised as negatives. Such characterizations are flat wrong. While we can differ on some of the recommendations, the fact that they took place in such frequency in the first five years is a sign of seriousness and priority.

In DIA's case, they were being unfairly branded with cover-up charges and a variety of supposed wrongs. I have not found greater talent than as I have in some of the DIA analysts anywhere else in government. We were lucky they stayed through the '70s to be present for the priority work they are engaged in now. I used to go to them or call them to my office to run through cases and made them convince me of the soundness of their analysis. I never found debunking. I suggested more follow-up at times or offered to work with them to get key answers in negotiations, but I never found purposeful neglect. Debunking labels in the cases I looked at were usually because someone didn't like the answer or the analyst knew more information than those challenging the answer and did not have the time or inclination to provide a laborious explanation.

I hope the Committee will in your critique also find room to compliment those in the government who have been dedicated to this issue and bring a much needed intellect and talent to it. We will need them in DIA, and in the field -- those who can interact sensitively with language skills, cultural sensitivity and historical knowledge.

#### Live Prisoner Issue

The highest priority question is that of live prisoners who may still be held captive. It is also the most misunderstood. Lists, categories and groupings of potential POWs or non-POWs have been based upon presumptive findings, initial categorizations, negotiation strategies and last known alive status. Probably more.

Despite definitions in official fact books, testimony, family newsletters, etc., confusion remains evident in the public mind. This became a problem in the 1980s as well and was clarified -- obviously without success as it was an early focus of the Select Committee.

The Reagan/Bush administration gave 32 major addresses or statements on the POW/MIA issue from 1982 until I left in 1989. These were at the most senior levels of the government and were supplemented by countless Congressional testimonies, letters and press releases.

The media hardly noticed. If they had, many of the headlines today would not be headlines, because the nature of the end of the war, the discrepancy cases, the 1982 change in the official position of the administration concerning live prisoners, the policy evaluations, messages to the Indochina governments and others are all there to see.

It has been no secret how the war ended. Millions of Americans were demonstrating in the streets and there was no national stomach to continue. Although I was not involved in the negotiations at the end of the war, my research indicates that everyone knew that the Vietnamese reneged on the accords and were not forthcoming on those whom we had reason to believe were alive in captivity at one time. I have not seen a document from that period that indicates we had proof of captivity at Homecoming. The documents I have seen from that period indicate a proclivity for action if a specific site and specific individuals were found. I also believe that if such knowledge existed to prompt action and it was not taken, it would have been exposed long ago.

Subsequent intelligence reporting confirmed some died in captivity; others we still don't know. But, the U.S. data base is not complete and the number could conceivably be larger. The answers primarily lie in Hanoi, and until they share such answers openly, we are left with two courses of action which we pursued. They are sensitive and quiet negotiations to gain an admission and work out quiet arrangements or find solid evidence through our own intelligence.

After my seven plus years, and seeing the intelligence I've seen, and meeting for endless hours, formally and informally with Vietnamese and Lao officials, when asked if I believe Americans are being held against their will in Southeast Asia, I must say, I don't know.

But the reason there are opinions on all sides of the question is because the question cannot be answered from the U.S. data base, which is the domestic focus.

The CHAIRMAN. Thank you very much, Mr. Childress. Mr. Ambassador?

#### TESTIMONY OF AMBASSADOR RICHARD ARMITAGE

Ambassador ARMITAGE. I'll take a signal from you, Mr. Chairman. I appreciate the opportunity to be here. I mentioned to you, in February, in Moscow, when I met you and Senator Smith, that I would appreciate the opportunity to testify. You have afforded it. I think the questions and answers are probably where you want to go and so do I. So I'll rest with that.

Thank you.

The CHAIRMAN. Well, we appreciate that. Thank you very much.

As I was listening to your testimony, General Perroots, about the mysterious bug, I was reminded that this is the room of the famous potted plant and I hope that we are not going to get diverted into a sort of bug session here. I want to try to keep it on focus.

But I do appreciate your strong rebuttal of that prior testimony which has not really sidetracked the committee, I think, too much.

I would like to begin my questioning today maybe a little differently from the last couple of days, not narrowly focused, but broadly focused, if I may for a minute.

First of all, though, I would like to pick up something with you, Mr. Childress. You said the Perot trip was counterproductive, correct? It was deemed counterproductive by the Reagan administration, was it not?

Mr. CHILDRESS. I can't speak for the entire administration. From my perspective—

The CHAIRMAN. Well, in effect, the President called him in and said, thank you very much. We do not need you any more.

Mr. CHILDRESS. I wasn't at that meeting. The President—

The CHAIRMAN. That is the meeting you know took place.

Mr. CHILDRESS. The meeting took place to receive his report and it was emphasized—

The CHAIRMAN. The bottom line was they felt it was thank you very much, we do not need you. Is that correct?

Mr. CHILDRESS. I think that's a fair interpretation, yes.

The CHAIRMAN. So it was deemed nonproductive, counterproductive, even.

Mr. CHILDRESS. Counterproductive.

The CHAIRMAN. But in point of fact, the memo that we have from Mr. Cannon to Baker says very specifically that, for whatever reason, the NSC staffers cannot get into Hanoi to talk to Nguyen Thach in order to get Vessey approved. It was Perot who went there who got Vessey approved.

Mr. CHILDRESS. That—

The CHAIRMAN. That is not exactly counterproductive.

Mr. CHILDRESS. That is not— If I could explain. Mr. Perot became involved at a time after the Vietnamese had halted cooperation on the 2-year plan. I had returned from New York meeting with Vice Minister Giang and determined that we could no longer go forward in the mode we were in. We had to have another initiative.

We coordinated with the IAG and in October 1986, determined that we needed—and the President approved the concept of a Presidential emissary. General Vessey, in January, was selected and accepted the mission.

When we finished that portion of it, we were putting in a request for the Vietnamese to accept an advance delegation to set the agenda. It wasn't a matter of the Vietnamese refusing to accept Vessey or anything else. It was a matter of us going to the Vietnamese, saying we want to put an advance delegation in and talk to you about a new initiative.

We were awaiting a Vietnamese reply. I had gone to New York and talked to them as well. Now, there was a lot of confusion and it's obviously reflected in these memos. In the NSC structure, we were waiting for a Vietnamese response, not thinking we were being stiffed so much as that they were getting ready to have elections and the rest and further delays.

The CHAIRMAN. Fair enough. But let me just ask you. The bottom line is, I mean, this is pretty simply stuff. And we do not need to belabor it. Ross Perot did get the Vietnamese to be enthusiastic about the idea and to accept it. Correct?

Mr. CHILDRESS. No, sir.

The CHAIRMAN. Why not?

Mr. CHILDRESS. When I took the advance delegation in, they were hostile to the concept. They said they saw nothing new in it. It was a laborious 2 days with the Vietnamese. They finally said they would consider it.

And I went after Mr. Perot.

The CHAIRMAN. So you are suggesting that his version is incorrect, that he did not, in fact, grease the skids, so to speak.

Mr. CHILDRESS. I did not see evidence of it when I arrived in Hanoi.

The CHAIRMAN. Now let me ask you, each of you. You have been in high positions of responsibility, all of you. You have had a role in this POW/MIA issue. We are here 20 years after the fact, in some cases of some missing people, longer than that.

Some Americans say, what is this all about? Is this a fool's mission that this committee is on and that people are one. Are we here for a reason that is understandable and explainable to the American people? Mr. Perroots?

General PERROOTS. I think so.

The CHAIRMAN. Mr. Childress?

Mr. CHILDRESS. Yes, sir.

The CHAIRMAN. Mr. Armitage?

Ambassador ARMITAGE. Absolutely.

The CHAIRMAN. It is true, is it not, that 20 years later, we do not have a full accounting of our missing. Is that not true, General Perroots?

General PERROOTS. That's a true statement.

The CHAIRMAN. Mr. Childress?

Mr. CHILDRESS. True.

Ambassador ARMITAGE. True.

The CHAIRMAN. So, if it is true that we did not have a full accounting as we sit here today in 1992, it has to be equally as true

that we did not have a full accounting in 1973 when we left Vietnam.

Is that true, General Perroots?

General PERROOTS. True statement.

Mr. CHILDRESS. True.

Ambassador ARMITAGE. True.

The CHAIRMAN. So, it is also possible, if we did not have a full accounting—let me approach that differently.

Each of you has said we did not have a full accounting in 1973. That is the same testimony we have had from other people which is why we are here.

General Vessey has presented our Government and the Vietnamese with 135 cases which are major question marks? Accurate?

Ambassador ARMITAGE. Correct.

The CHAIRMAN. We have uncovered a similar amount going at it through our own lists. We are all in the same vicinity. And DIA had 269 cases, correct.

General PERROOTS. That is correct.

The CHAIRMAN. So, in point of fact, this issue that has haunted America for 20 years has not haunted it falsely.

Mr. CHILDRESS. Correct.

The CHAIRMAN. It is because we did not have the answers in 1973. Now, we also have evidence that people were last known to be alive or to be in captivity in 1973. You know that to be a fact, General Perroots, from your role at DIA. Do you know?

General PERROOTS. I'm amazed at how much more information has come to the front as a result of your efforts, yes.

The CHAIRMAN. Mr. Childress.

Mr. CHILDRESS. We knew, certainly, the last known alive cases or in proximity to Vietnamese forces could have been captured. Precisely the date 1973 I—but certainly at that period.

The CHAIRMAN. Mr. Armitage?

Ambassador ARMITAGE. That is a personal matter. This is my assumption from 1973 to 1981, when I assumed office.

The CHAIRMAN. And you, Mr. Childress, even believed, when you were in the NSC in 1985, that people might still be alive and held in captivity, did you not?

Mr. CHILDRESS. I believed firmly in the policy. We ought to presume they're there. Personal beliefs can go either way on it. I went up and down on this issue. I'd get a report that would excite me, we would follow it up, and then I would drop again.

But in a generic sense, I absolutely believed that somebody had to have survived.

The CHAIRMAN. Now that is very important. Because a lot of people in this country have been willing to shove people off into a corner and suggest that they are patriotism and their devotion to this issue was somehow kooky or right-wingish or reflective of a kind of zealotry that was without foundation. And each of you is here to say you do not accept that.

Ambassador ARMITAGE. I think each of us is here to say more than that, Senator. I think, speaking for the three here, each of us in pursuing this issue has suffered attacks on our family, certainly personal attacks, which are nothing new to government; attacks on our property; harassments at our office, et cetera. And I don't

think we'd put up with it unless we believed that there was the possibility of getting an American alive out.

The CHAIRMAN. Well, then, tell me why it is? I mean, the committee is trying to sort all of this out. Why is it there is such a strong feeling of a conspiracy, such a sense people have that information has not been forthcoming?

Now, there are plenty of reasons I can give you, because I do not think it has been forthcoming, because I do not think the response has been terrific, notwithstanding the changes that were made, and I think it is good to have on the record, the Tighe report came from you, came voluntarily, you wanted to do better. That was 1985 already.

This issue was on the burner in 1973. What happened, gentlemen? What happened?

General PERROOTS. Ironic that the period when there should have been even more of a full-court press, there was less of an effort.

The CHAIRMAN. Can you say that again a little more clearly.

General PERROOTS. At a period when the trail was hotter, when there should have more of a very extensive, aggressive, what I call full-court press on it, there was less effort.

The CHAIRMAN. Why?

General PERROOTS. You deliberated that in this committee and there are a variety of reasons.

Ambassador ARMITAGE. Let me try, if I may, Mr. Chairman. I don't have the answer. I've got—it's like a belly-button—an opinion. Everyone's got one.

The part of the reason there was so much distrust was because during the 1973 to 1981 period, you'd had commissions that had written off the issue. You'd had attempts to normalize with Vietnam, at least an embryonic, one without resolving the issue.

Speaking for the first Reagan administration, we very deliberately went on a very high profile mission of publicizing this issue, fact books, speeches, et cetera, with a deliberate—there's your plot. And the plot was because we didn't know who was going to win the election in 1984.

We wanted to be sure that the issue outlasted whatever administration existed at the time and that it would have to be resolved. And I think in that very public awareness raising, we also engendered the seeds of great frustration. Because we got everybody up and then we were not able to bring out a live American, other than Rob Schwab, whom you all know about.

The CHAIRMAN. Well, is it possible that—the committee has the evidence, obviously, of this critical moment in time in 1973, when with the return of the prisoners, President Nixon makes the statement, all the prisoners are coming home. There's some discussion within the Defense Department about whether they are, in fact, all home. But this dramatic statement is made that there's no indication that anyone's alive. And as you said, it's kind of written off. I mean, is that accurate?

Ambassador ARMITAGE. But I think it's also accurate to say it was written off in a number of ways, a statement by the administration, a statement by subsequent commissions who looked at the issue.

The CHAIRMAN. Agreed. Everybody—therefore this notion of conspiracy, while there is no overt conspiracy conceivably, there is legitimacy, is there not, in the perception that there is at least a conspiracy of silence for a period of time?

Mr. CHILDRESS. Senator, the way the war ended, the discrepancy cases, the kinds of things you're looking into, we made in public speeches in the 1980's. I spoke to the League of Families and talked about it. That part of it is now new.

What I'm seeing for the first time is that the administration at the end in 1973 felt strongly enough of the possibility that they were going to contemplate a massive diplomatic or military threat to try to achieve something.

But I think we've got to remember, too, that in 1973 millions of Americans were on the streets demonstrating to get out. If there's guilt, if there are sins of our fathers somewhere, I certainly think that that paintbrush is very wide and it's in the American psyche more than just—

The CHAIRMAN. I do not disagree with that. On every occasion, this has come up. I have tried to be absolutely non-accusatory. And I want to emphasize that. The committee is not here—the committee is here trying to find out what happened so that we can explain this issue, understand it. And there is no question but that the national psyche at the time, which I, believe me, understand full well, because I was in the middle of it. I know where everybody was then. There were a lot of currents.

But we need to understand reality here. There are books coming out that suggest this is myth. Well, clearly, if you have got 133 people, some of whom you believe were alive, and they do not come back, you are not dealing with myth. And that is what has kept us alive for 20 years is the fact that it is not myth.

On the other hand, I don't think it's unfair to say that some did raise this to a crescendo in politics without applying resources, negotiations, posture and commitment, to resolve it. So in 1992, we are trying to do that. Now, my time is up. I just would like to hear each of you tell us how Americans can put this issue to rest in 1992. What has to happen between Vietnam and Laos and ourselves to not go around in a terrible catch-22, a circular pointing the finger and blaming each other. Can it be put to rest? My last question.

Ambassador ARMITAGE. Well, I think there is a prefatory remark that should be made. The next time we should win a war. When you win you don't have these questions. And I think that is not a frivolous statement on my part. In order to put this behind us—I don't want to take exception with what you are describing as discrepancy cases, 133 or 135 people, but I know from my own look at this issue when I was active in it that it is a mistake to automatically write off the possibility of people who are not discrepancies being alive. And we had a case when I was at DASD in the Pentagon of a KIA-BNR coming back. So, I think you have got to be very careful, just concentrating on discrepancy cases. Clearly the Vietnamese have to—

The CHAIRMAN. Let me say for those who don't understand, a KIA-BNR is a killed in action, body not recovered status. And in one case at the end of the war, someone who had been listed as

killed in action body not recovered, came back in the course of Operation Homecoming. Not listed as a prisoner, but, rather, killed in action.

Ambassador ARMITAGE. Just to sum up clearly, the governments of Vietnam, Laos, and what passes for a government in Cambodia, have to open up and give full and complete access to Americans upon request, with no waiting periods, et cetera, before we can begin to put it at rest.

The CHAIRMAN. Well, you heard what I said—excuse me, I am sorry to go longer—but yesterday Ross Perot said that is a waste of time. I mean, you can go into a prison if you get in an hour's notice and, if anybody were there, they are going to move somebody. I mean, basically, he said what the Vietnamese have been saying which is, this is silly.

Ambassador ARMITAGE. We got, when I was active, over 1,500 live sighting reports. It seems to me, if Americans are running around at quite a high level that you are going to get reports. You are going to get information, and Mr. Perot may be correct that they can hide you once or fool you twice, but they can't fool you over the long time. When they move people, they expose themselves. You are going to catch them.

The CHAIRMAN. Senator Smith.

Senator SMITH. Thank you, Mr. Chairman. Three witnesses up at the same time and so many questions. It is very hard to focus. I did have one question and it's just basically a yes or no, if you wish. While you were actively engaged in the issue in your relative positions, were any of you aware of the Eagleburger memorandum?

General PERROOTS. I was not.

Mr. CHILDRESS. I was not.

Ambassador ARMITAGE. I was not.

Senator SMITH. It is just interesting the compartmentalization of these documents. I think one thing has been very positive. Oh, that was not meant to be a slam at you.

Mr. CHILDRESS. Senator, if I could add, I did do research into the past. I didn't come across this document, but you know WSAG minutes and things like that. Before I went to Hanoi, I wanted to know if I could find out what kind of terminologies we had used with the Vietnamese before so that I would either not make the same mistakes if they were made or to have a strategy. Now, in those documents, what I essentially saw was what the Eagleburger memo says, that there was a big question—

Senator SMITH. That there were POW's in Laos?

Mr. CHILDRESS. In Laos. And discrepancies still existed in Vietnam. I did not see in any of that research that we knew the place, the time, and who, and something that could be actionable.

Senator SMITH. That is right. I mean, those minutes do indicate references to POW's in Laos, which has been—the whole issue has been the subject of the hearings ever since we started, really, but certainly in the last couple of days, as to what happened in that window of time that would change an official policy statement when the intelligence seems to indicate otherwise, even though those in the intelligence community do not seem to recall anything that we ask them. Let me just kind of shotgun a little bit.

There were some statements made, and I just want to go back to a few of them. General Perroots referenced the meeting, and I do not recall whose office. Some Congressman's office on the Hill. But regarding Mark Smith and yourself, and I do not know if some of your staff were there. I believe Hendon was there, I was there, and I think—I do not recall who else was there, but in that meeting, there was a reference made to a list, and I checked my notes on that as well and my notes indicate that the list we were talking about had nothing to do with the tape.

It might be just an unfair, might be just a memory lapse but that it referred—we were talking also about Garwood in that meeting and that there was a list of names associated with Garwood. That is what my memory says. It has nothing to do with the tape, but that may be an honest difference, but I just want to point that out. All of the information that I had relative to that was provided to you at that meeting. Can you help me in regard to that tape incident?

As you know, you recall very vividly as I am sure I do, Mark Smith with tears in his eyes expressing in great detail what he claimed to have seen on that tape. It was a pretty emotional meeting. This guy was pretty well decorated and a POW, and he said he saw the tape. He described it in graphic detail about which we do not need to go into.

But do you—I mean, I found myself—I suppose we all wanted to believe him. But we also found ourselves—he was very persuasive, let me put it that way. Would you characterize that the same way?

General PERROOTS. I did not attend the meeting. Mr. Shufel did.

Senator SMITH. I remember you at one meeting. It may have been another meeting.

General PERROOTS. There were two meetings.

Senator SMITH. You were at the meeting with Mark Smith.

General PERROOTS. Yes, I came away with the view that there was a tape and that we needed to get that tape. And we pressed hard to get that tape.

Senator SMITH. And is it your testimony that the Vice President also, at the time Vice President Bush, was also very anxious to secure that tape?

General PERROOTS. Yes, sir.

Senator SMITH. Do you have any indication from your own information as to why we did not get it?

General PERROOTS. Senator, you know we still haven't closed the book on that. There is a misconception that in pursuing that tape that me or DIA was the focal point. I would have loved to have been, as you recall. We ran that thing all over the world in attempting to acquire it.

But we were on the periphery. Most of the efforts for acquisition, as you know, was done by Mark and Billy Hendon, supported by Ross Perot. I volunteered all the help I could. I recall I said I will give you an airplane. I will go on the airplane. So we—I was trailing, seeing how I could help.

So when we got beyond Cyprus and into Singapore, the final chapter of that is still vague. Was it destroyed on the West Coast? There was a report that Gregson ultimately said it was a mistake. They want to—what they really want is support for the rebels.

There was a report that as a result of Obassy or Gregson coming, I think to North Carolina or somebody, that Murkowski blew the whistle and jeopardized the thing and so he destroyed the tape. We heard from Ross, saying that he got a call saying that they tried to arrest him. I don't have any knowledge of that.

The CHAIRMAN. Let me just ask—you prompt a question there. I am having a hard time understanding why, if somebody has in their possession a tape of American prisoners which has been promised to be paid \$4.2 million for it, they would destroy it. It either has value and, if people have it away from whoever the holders of the people are, as they did, there is no purpose in destroying it. There is no reason to just let this tape vanish.

General PERROOTS. You are absolutely correct.

Senator SMITH. Well, I think, you know, there is great debate and we will probably never know whether the tape existed or not, but the reason why I think the real issue here is that we did have an individual who claimed to have seen it, other than Gregson.

General PERROOTS. Mark Smith.

Senator SMITH. Mark Smith said he saw it. He described what he saw in it. I think that is what motivated the action by you, properly so, and the Vice President, Mr. Perot, and everybody else and some of us in the Congress who offered our services in any way we could to get it. But it did not happen. To the best of your knowledge, the U.S. Government never got the tape, correct?

General PERROOTS. I know that we haven't. Let me just qualify—

Senator SMITH. I would like to move on to another subject, but go ahead.

General PERROOTS. No, just my view on that. You are absolutely correct in describing our reaction to the first description of that tape and Mark Smith's reaction. We all thought—my confidence level went down rapidly after that for some of the reasons that Senator Kerry mentioned.

When we traced the allegation that in the Middle East that he had one of the three copies of the tape that had been seen there, and we had specific information from Mark Smith on the office and they denied it and said—and then from then on it went downhill.

And it looked more and more like a scam when Obassy was in jail for fraud. I mean—

Senator SMITH. Let me just shotgun over to another subject. I do not want to dwell on it. As Senator Kerry said, I do not think we should, there are other things here. But I do want to comment and to just challenge you on one point, because you brought my name into it.

I did not prompt General Tighe on the issue of bugging. It was brought to my attention by a Member of the committee who alleged that the meeting was bugged. I asked General Tighe the question, had no idea what he was going to say. Frankly, I was surprised at what he said. He said it was a bug. Now he also said that that was a unanimous conclusion, or words to that effect, of the group.

Now, I would just say to you that what I have been told by more than one Member of that committee was that the Air Force securi-

ty personnel came into the room and removed a device, an electronic device, from a telephone.

Now, nobody ever said you ordered a bug or your office ordered a bug. I just said I would like to know, and we are conducting an investigation—DIA is now conducting an investigation which we are trying to follow on that. That is all. I just wanted to make that point.

General PERROOTS. Perhaps a poor choice of words. I didn't mean to imply that you prompted—your question prompted it. And by the way, I saw the preliminary results of that investigation, and there is a good answer for that piece of equipment in there. And you will find that really there is no basis in fact to presume that there was a bug.

Senator SMITH. Well, that is interesting. You saw the preliminary results, and we have not. But—

General PERROOTS. It just happened.

Senator SMITH. I would like to see the preliminary results myself.

General PERROOTS. It is ongoing.

Senator SMITH. Maybe you could share it with us after the hearing. Mr. Childress, you were, I guess, to put it mildly, not happy with the Tighe Report, is that a correct characterization?

Mr. CHILDRESS. I saw the first draft which was full of a lot of policy things and, yes, that is fair. The first draft I was not happy with.

Senator SMITH. What was the main reason you were not happy with it?

Mr. CHILDRESS. Well, first of all it was supposed to be an intelligence document. It was a—and General Perroots saw that it was full of policy speculations, and so forth, which were musings. And they had done this without even talking to people that were, in fact, conducting negotiations and dealing with the Vietnamese.

I also felt that a lot of the conclusions or statements appeared to be assertions that you could not base on only looking at 43 reports, the ones he picked. Now, we went back through those reports, the IAG. We sat down there for hours after the thing was finished and I still did not see it. I wanted him to concentrate on discrepancy cases. I think the best case can be made on discrepancy cases, last known alive, and see if intelligence can build from there.

But it looked like a shotgun and then assertions, and it just didn't appear professional to me.

Senator SMITH. Mr. Chairman, my time is up. Let me just make one final point. You say—I will not read the whole memo. There is some strong language in there about individuals. I do not mean to bring that out and will not. On June 18, 1986, in your memo to General Perroots, you said that the report would destroy the strategy.

That is what you said. General Perroots ordered the Tighe Report based on some internal criticism that was followed by the Gaines, and then the Brooks. There were all kinds of internal reviews about how the agency was conducting itself. We know that. That is all a matter of public record. But what strategy were you referring to, if you recall?

Mr. CHILDRESS. I would have to see it in context. I assume I was talking about, since they were doing so much in negotiations and so much in speculation on Vietnamese motives, and how to get them to respond, that, and I am speculating, until I see it in perspective, but I think that is what I was referring to.

That we had a strategy to gain admissions from Vietnam, if we could. And some of the things in there, if adopted or came out, would in fact affect strategy in the wrong way. It wasn't intelligence. It was—

Senator SMITH. You made public—I do not have—yes, I do have it. You wrote an article signed—penned an article in the American Legion Magazine around that time saying that the Vietnamese pledge to resolve this issue within 2 years is the first written agreement since the end of the war.

Mr. CHILDRESS. Right.

Senator SMITH. And Griffiths, I think, has stated publicly during that time that it was not. There was not a written agreement, or certainly not a signed one.

Mr. CHILDRESS. Well, the confusion may be this. We entered into discussions with the Vietnamese on a 2-year plan. They agreed conceptually they would in fact try to do this. I went to Hanoi after several trips and right on camera Vice Minister Giang sat there and signed a 2-year plan, their plan, handed it to me. There were toasts around, and he hugged me and told the press, Mr. Childress speaks for the Vietnamese.

Now that was the Vietnamese written plan. We wanted a joint plan. We took it back. They had some political elements in there that we could not use. They were not putting in discrepancy cases, other things. So, what we tried to do is take their written signed plan, merge it with ours and have a comprehensive joint plan.

So the references to a signed agreement is talking about what the Vietnamese signed and gave to us. As it turned out, the Vietnamese politicized the effort and we never got a joint signed plan. And that is probably what Mrs. Griffiths is referring to.

Senator SMITH. It was written but not signed, is that what you are saying?

Mr. CHILDRESS. No, they wrote it and signed it.

Senator SMITH. Did we sign it?

Mr. CHILDRESS. We had our input to do the joint plan. And the agreement broke down on a joint plan. But we had a signed plan from the Vietnamese. I am sure it is in the files. But it did not cover discrepancies and other things we wanted.

The CHAIRMAN. Senator Bob Kerrey—I meant to do this earlier, but I just wanted call attention to the fact that Senator McCain's mother, Mrs. McCain, is here sitting in the front row. We are delighted to welcome you here and have you present with us. Senator Bob Kerrey.

#### STATEMENT OF HON. J. ROBERT KERREY, U.S. SENATOR FROM NEBRASKA

Thank you, Mr. Chairman. First, let me say that I think the chairman has done a superior job keeping the committee as well as the witnesses focused on the objective of trying, on the one hand, to

discover what went wrong and get full access to information, as well as trying to proceed to the conclusion of what we need to do to get this final and full accounting.

I would say again for emphasis, one of the problems we are up against is that we are dealing with a Communist government that lies to its own people and us. I think you have to assume that as a baseline. It makes it difficult to get a full accounting. Mr. Perot, yesterday, identified one of the paradoxes in this whole matter. If you are trying to negotiate, if you need to negotiate in order to get a full accounting, it is difficult to proceed without some sort of change in our policy, and yet, if we change our policy, we find ourselves conceding and so on and so forth.

I would also say that I think it is important to accept Mr. Perot's standard of saying let us not scapegoat. Let us not look back and try to find out who was wrong, who made the mistake. Let us not try to yield to temptation. Let us try to avoid yielding to the temptation of falling into conspiracy theories.

I have got to say in that regard, with full respect for Mr. Perot's efforts to get to the bottom of this and his long-standing commitment to trying to bring our men home, that he himself yesterday on many occasions fell victim to that tendency of taking, in many cases hearsay statements, and saying, well, I heard somebody say that the refugees have orders not to say anything about POW's. That simply is not true. And in response to a question by Senator McCain, there was some DEA agent, perhaps I can get the name for you.

I think it is very important for the American people to understand that there is an easy tendency, and you must avoid it, to yield to following these so-called conspiracy theories. And I think it is very important for us to resist it because we do need to get to the bottom of this.

If the possibility is there, and we assume it is, if there could be one single American over there being held as a prisoner, there is an urgency for us to try to keep focused on the objective.

I would like to ask the three of you, as a first question, as to whether or not you think it was a mistake to classify so extensively the information that we had at hand about what was going on. It seems to me that an awful lot of clearing has occurred in the last couple of weeks since the information has been released, since we have declassified, and I would like to know, again, no conspiracy, no finger pointing, in retrospect, with full information now being available to us, do you think it was a mistake to classify so aggressively?

Ambassador ARMTAGE. Yes, sir. It seems to me that the Vietnam War, which rent the Nation, and this issue is right hand-in-glove with it. This is also rending the Nation, and we would have been better served declassifying. We made a mistake. And the mistake was, I believe, that we made the documents, et cetera, available in closed session to Members of Congress, but it just wasn't being bought by the American public. So that is my view. We were too cautious.

Mr. CHILDRESS. I am assuming we are talking about during the Reagan administration. In 1981, what we found were that some documents were classified, some were not. They were randomly dis-

tributed. We felt that to do a serious effort, if we were serious about it, especially the live prisoner issue, that, if you got a first-hand live sighting report, it should be classified secret until follow-up.

So we, in fact, put in classifications and disciplined it, not to hide things, but to treat the issue seriously. We also, in 1982, determined and made it policy that the families need to have access. So any report that pertains or may pertain to their particular case, we would in fact release it to the family and redact sources and methods. But when we started, stuff was just floating everywhere. And so, the classification was a signal of seriousness to us at the time.

As events have gone on, you know, publicly, people are saying, well, you are hiding something. Well, we thought we were doing what was correct at the time.

General PERROOTS. My own view, after 35 years in the business, we have a great tendency to overclassify. In this area, we have done it excessively. We, in the signals intelligence arena. I agree with Mr. Perot in that regard, it is archaic. We are still bound by the old directives that had a different meaning for a different purpose.

A good percentage of the reports that are in our files in DIA can be and should be declassified. And even the very sensitive ones can be sanitized. That is not in any way a word that suggests leaving out anything that is significant. But where it is that one or two very rare occasions where sources and methods might be involved, where there is a sensitivity, sanitize that in terms of cutting out that and get the report out.

Senator KERREY. Given that there is a limited amount of time here in my first round of questioning, what I would like to next focus on is, where do we go from here? One of the things that Mr. Perot suggested yesterday that I think does have some validity to it is the notion that perhaps our chief negotiator, Mr. Vessey's, status should be upgraded. That he is essentially out there operating in some ways independent of other policymakers.

The question occurs as to whether or not our principal negotiator should be someone with undersecretary status or with higher policymaking status than we currently have. And whether or not, in fact, you can do that, given the current nature of our diplomatic relations with Vietnam.

Mr. CHILDRESS. I think General Vessey clearly has the access and status as a special emissary for the President. I would defer, obviously, to his views of whether something else would be more effective. It is my impression that he has been effective and that it is working. Because Vietnam is intransigent at times, or we can't get admissions, or so forth, it is less a reflection on the negotiator than the people you are trying to negotiate with.

Ambassador ARMITAGE. It's less important the level of the negotiator than the fact that he brings a unified message, that's my personal view. To raise the level is always a fair thing to do. It would please, I'm sure, the Vietnamese. Whether it would change any other behavior and get them to open up their files of information, I can't say. But the more important thing than the level of that envoy is the unified message that he would bring, because it's my

experience that if you give the Vietnamese a hole or a crevice, they going to widen it.

Senator KERREY. I understand that when we were discussing this with Mr. Perot yesterday, that the idea is you had Secretary Solomon at that time. Now he is in the Philippines, but at the time, he had broad authority for the region and under questioning from the chairman, Mr. Perot suggested, well, perhaps you needed to have somebody of that kind of stature rather than somebody who is just a special representative of the President.

The President has lots of special representatives and unless you have that kind of authority, it is difficult to sometimes negotiate and, yet, it could not be Secretary Solomon. Because if it is Secretary Solomon, then we are consenting to recognize prior to the completion of the negotiations.

Mr. CHILDRESS. Senator, through from 1981 to 1989, if you look at the chronology, Assistant Secretary Wolfowitz went, Assistant Secretary Armitage. The Under Secretary had met with the Lao. The flexibility of being able to use a Solomon at the right times or someone in State, I think, has been reflected in the way they do it, but you need someone, I think, full time with a status and I don't think an Assistant Secretary could devote obviously full time to it even without the recognition problem.

Senator KERREY. What do you think of Mr. Perot's statement that if you should send somebody over there and tell them not to come home until they get the prisoners?

Ambassador ARMITAGE. Send somebody else. I think he's going to be there for a while. I think you need time to back away and re-evaluate what you need and what you know from intelligence, et cetera. I'm not sure it's a good idea to set up a permanent bureaucracy there in the absence of normalized relations.

General PERROOTS. I think it's fine for effect and I think the spirit of his remark probably is on track. I for one believe that, especially in the wake of this committee, that there is an opportunity that you have a responsibility to address, not only take those actions which will send the proper messages to the Vietnamese and Laotians, but also to the people of this country. So any bold step that is different ought to be tried. If it's cosmetics, then it makes sense to try to include some sponsorship maybe, maybe by the Vice President as he goes over quarterly and waves the flag.

I think it's time for some bold efforts to send the proper message to the people out here who are still wondering whether we're doing enough as well as the people in Southeast Asia.

Senator KERREY. One last thing, Mr. Chairman, I for one would like to follow this statement, General Perroots, that you made about the possibility that on the third of March meeting that representation was made by anyone that they had personnel and names attached to that video, but were unwilling to supply those names. If that is a misunderstanding, terrific, then we can lay it to rest, but if it, in fact, did occur that someone said, I have got the names of the people on that are on that video tape, but we are unwilling to supply those names, I would like to know that, in fact.

General PERROOTS. We'll provide you the evidence for that. We have a memo and I think I can refresh the Senator so he'll recall that meeting.

The CHAIRMAN. A contemporaneous memo was made of that?

General PERROOTS. I'm sorry, sir?

The CHAIRMAN. A contemporaneous memo was made of that meeting?

General PERROOTS. It was an internal memo which described the meeting, who said what.

The CHAIRMAN. Made at the same time, at the end of the meeting?

General PERROOTS. Yes, yes.

The CHAIRMAN. Is that memo available?

General PERROOTS. I'm sure it is.

[The information referred to follows:]

DIA  
Memorandum for Record

5 March 1986

SUBJECT: The Mark Smith Caper

1. On Friday afternoon, 28 February 1986, Congressman Bob Smith called to speak to the Director who was out of town. The call was transferred to me and Congressman Smith began by saying "I hope you are sitting down because I have a bizarre story to relate." He said that Congressman Hendon had called from North Carolina to relay an offer provided to Mark Smith (Major, USA, Ret.) from an unknown source. Essentially, the offer was to provide a 248 minute video tape containing closeup views of American POWs in Southeast Asia in a slave-like environment for 4.2 million dollars to be transported to an unknown specified location by Senator DeConcini, Congressman Hendon and Bob Smith, and Mark Smith. Acceptance or rejection of the offer had to be made not later than Monday, 3 March.
2. I responded that the proposal generated numerous questions on my part and I would have to get back to him after touching bases within the Administration.
3. I then called Jim Kelly in OSD/ISA who expressed incredulity at the offer and reminded me that the Administration's policy is not to pay for information, remains, or live POWs. I then discussed the matter with Dick Childress, White House staff, and the two of us concluded that more information was essential before any response could be provided to Bob Smith.
4. I then called Congressman Smith and told him that no response could be forthcoming until we had answers to a number of questions concerning the proposal. He indicated that he would contact Congressman Hendon and get back to me. I left a phone number where I could be reached and subsequently debriefed the Director upon his return.
5. I heard nothing from Congressman Smith Friday evening and called the Director on Saturday morning, 1 March, to see if he had heard anything, which he had not. I indicated that I was going to Baltimore for the weekend but would stay in touch. Saturday afternoon I called my answering service who indicated that Congressman Smith called and that I should call him back at his home after 7:00 p.m. I called Congressman Smith about 7:30 p.m. Saturday evening and he went over the proposal again, clarifying some of his comments but not providing any additional details concerning the location of the prisoners, the captors, nor the means by which the film, if obtained, could be verified quickly. He suggested that we should hold a meeting on Monday about noon. I indicated that I would call him back either later in the evening or Sunday to confirm a time for a meeting on the assumption that General Perroots would agree to such a session. I talked to the Director about 8:00 p.m. Saturday evening and he concurred in a Monday meeting at a time convenient to all participants. I called Congressman Smith back on Sunday morning and indicated that we concurred in the need for a meeting and that 12:00 seemed to be feasible with final details to be worked out Monday morning. He concurred and we had no further conversation the rest of the weekend.

6. During the course of our conversations during this period, Congressman Smith expressed a sense of awe at the nature of the request. He recognized the seriousness of such an endeavor and that it was not without some danger, but reiterated several times that, while he had great confidence in Mark Smith, as does Congressman Hendon, it's time to get Mark Smith to "put up or shut up."

7. The meeting on Monday, 3 March, took place in Congressman Hendon's office about 5:15 p.m. Present were Congressmen Hendon and Bob Smith; Mark Smith; and Mark Waple, Mark Smith's attorney. DIA was represented by the Director; Bill Allard, the General Counsel; Steve Lucas, Legislative Liaison; and me. Congressman Hendon indicated that the purpose of the meeting was to allow Mark Smith to go over the proposal in detail and answer our questions. He indicated that he was serving as the conduit between Mark Smith and the Administration and that he had great confidence in Mark Smith and believed his story.

8. Mark Smith said that his contact, John Obassy, a "pseudonym," had been present at the filming of a video tape in Southeast Asia that portrayed in part 39 Caucasians that he believed were American POWs in a prisoner-like setting chained together. The owners of the video tape, best describe as Vietnamese provincial officials (my words), were offering three members of Congress the opportunity to view the film, verify its authenticity, and obtain a copy for the immediate exchange of 4.2 million dollars. Mark Smith provided copies of a letter to the President dated 28 February which Congressman Hendon had delivered to the White House on Monday, the 3rd, which outlines the proposal, to include a request for a commercial airliner with a pilot selected by Mark Smith along with other members of the crew who Mark Smith suggested could be security personnel. The plane was to fly to an undisclosed location, which in the course of the discussion surfaced as a friendly country in SEA. From the airport, the Congressmen and Mark Smith would be flown by helicopter by the host country to a border location where they would view the video tape and make the decision to purchase or reject it. If the transaction is completed, the party would then return to the airport. Mark Smith mentioned both orally and in the letter to the President that other evidence of POWs would be provided but refused to elaborate on this point. Mark Smith indicated the demands were nonnegotiable and when asked "that if the Administration's response was no, what would happen to the POWs?", responded "that the POWs were going to come out anyway but in such a way as to cause the U.S. embarrassment." Mark Smith provided no explanation of how the provision of the video tape at the desired price would of itself lead to a safe return of the POWs to America. In the course of the conversation, General Perroots stressed that the only person that indicated he had seen the full tape and viewed the POWs close up was Mark Smith. The Director emphasized the Administration was not refuting the offer but clearly needed some evidence for the decision process. The question was asked could Mark Smith identify any of the POWs from the tape or provide names of the POWs. Mark Smith's response was that he had names but would not provide them. Congressman Hendon made the same comment that he had names also but would not provide them. As the meeting began to break up, Congressman Hendon reiterated that his role was that of a conduit between the two sides. He recognized that General Perroots had to come back and debrief members of the Administration and if the answer was no to the offer, he wanted it in writing.

*Handwritten signature:*  
 AND TRANCE IN SUBJECT

The CHAIRMAN. What did it say?

General PERROOTS. It simply said what I told you in my text that there was a meeting that Mark Smith, retired Major Mark Smith, not Senator Smith, and Mr. Waple, I believe—no, Mr. Hendon, excuse me, Congressman Billy Hendon then—now, commented that they had the names of the U.S. POW's that were on that tape.

Senator McCAIN. There is no doubt in your mind?

General PERROOTS. No doubt.

The CHAIRMAN. And they would not provide the names?

General PERROOTS. It was a question of trust, I think.

Senator SMITH. Who had the names? Who had the names and did not provide them?

General PERROOTS. Hendon and Smith claimed that they had the names, Senator.

The CHAIRMAN. And that is recorded in the memo?

General PERROOTS. Yes.

Senator SMITH. I was involved with that every step of the way and that is certainly news to me. That is certainly news to me.

General PERROOTS. We'll provide the names of the people who were there.

The CHAIRMAN. Senator McCain.

#### STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator McCAIN. Thank you, Mr. Chairman. I want to just follow up a little bit on Senator Kerrey's remarks which I think were very much on the mark. The media reports today on Mr. Perot's hearing, basically, and I watched a lot of the visual media last night. U.S. officials covered up the truth, dissembled. Most of you, I think you have seen—all of you have probably seen those media reports. I did not get that from Mr. Perot's testimony to start with. But, General Perroots, how long were you involved in the intelligence business?

General PERROOTS. In the intelligence business, sir?

Senator McCAIN. Yes.

General PERROOTS. My entire career, 34 years.

Senator McCAIN. With your background in intelligence, if there was a coverup, a conspiracy, if there was one, how many—how many active-duty members of the military and civilians would have to have been involved in that coverup, roughly?

General PERROOTS. To calculate it is impossible.

Senator McCAIN. Would it be say, 10 people?

General PERROOTS. It would depend upon the magnitude of what coverup you're talking about. If you're talking about a coverup of a report, that's one thing. But if you're talking about a calculated sinister coverup of a dimension I think you're referring to, you're talking about—

Senator McCAIN. Thousands?

General PERROOTS. Hundreds, thousands maybe—oh yes, special forces, commanders.

Senator McCAIN. In order for a coverup to be successful as has been alleged, it would have taken the active participation of hundreds if not thousands of military personnel?

General PERROOTS. Yes, sir.

Senator McCAIN. Mr. Armitage—Ambassador Armitage, I want to bring something up with you which is not very pleasant, but I think important, because a record—an official record must be established on your involvement in this issue and maybe nobody will believe it now, Ambassador Armitage, but maybe some day historians will. What was your involvement in the Vietnam War for the record?

Ambassador ARMITAGE. I served as a volunteer on a destroyer off the gunline for one tour and then as a volunteer in three subsequent in-country tours as an advisor to the Riverine forces. I resigned from the Navy in 1973 and took a position with the Defense Attache Office in Saigon, where I was responsible for Navy and Marine Corps operations matters.

Senator McCAIN. Then you left Saigon in 1975?

Ambassador ARMITAGE. I left at the fall of Saigon, Senator.

Senator McCAIN. So your involvement in the Vietnam War was extensive and at significant risk to yourself personally?

Ambassador ARMITAGE. Yes, sir.

Senator McCAIN. And Colin Powell, I do not believe that General Powell would mind me paraphrasing, he said he would trust you with his life and his family, I believe, or trust you with his family too.

Ambassador ARMITAGE. It's the nicest thing I've ever heard. Yes, he said that.

Senator McCAIN. And yet, you were accused of being involved in running drugs. Is that correct?

Ambassador ARMITAGE. That is true, by the Christic Institute.

Senator McCAIN. You were accused of being part of a massive conspiracy to coverup the POW/MIA issue. Is that true?

Ambassador ARMITAGE. By many, yes sir.

Senator McCAIN. Your home has been damaged, is that correct?

Ambassador ARMITAGE. My mailbox. My children have been damaged by threats on the phone, specific, physical and sexual in nature.

Senator McCAIN. And this went on for a period of years while you were involved in a position of responsibility concerning the POW/MIA issue?

Ambassador ARMITAGE. That's correct.

Senator McCAIN. Have these allegations ceased?

Ambassador ARMITAGE. They have ceased as far as I know. They come, from time to time, back publicly, but I was able to win a public suit against a woman who wrote a book and reprinted these allegations and once I was able to win that, as a public figure, and you know the standards for defamation of a public figure are quite extraordinary, the allegations resided, but recently, they surfaced again with the candidacy of Mr. Perot, but again, they've gone away with his move from the race.

Senator McCAIN. I will not ask you to chronicle the other allegations that have been made against you, against you and your character. I do think that there is substantial, at least circumstantial evidence, that the reason you are not Secretary of the Army today is because of these charges that were leveled against you.

I can only say, as one Member of Congress, that I am deeply saddened by what has happened to you and your family. I hope you will accept at least the apology of this Member and many of the people that I represent for what has been done to you in your efforts to do your duty as you see as best this Nation. And if there is any additional information about your background that we could add to the record to indicate your service to this Nation, I would appreciate it if you would submit it to the record.

Ambassador ARMITAGE. Thank you very much and you have no apology to anyone, Senator McCain, for anything.

The CHAIRMAN. Will the Senator simply yield? If I could ask, what is it about this issue—share with me a sort of personal light about this. There is a vitriol that gets into this and a level of anger and frustration, some of which I know comes from just the frustration that the Government has not done the job. The Government has not delivered, but I do not want to testify to it. I want to hear your explanation of why you think this has happened and what it means in the context of this issue?

Ambassador ARMITAGE. I'll tell you why it happened to me, in my view, others can speak for themselves. First of all, the war divided us and this is a continuation of the war in a way. It's a continued division in our ranks. It's a sign of the frustration that exists when you lose a war, the inability to get answers, number one.

No. 2, in terms of my personal involvement, it is my view that I took a very public stance on this issue in 1981 and continued to take a public stance on the issue, as we changed the live sighting report to be more reflective of the possibility of Americans being alive, and also as we took on various people who were trying to make a living, in my view, out of this issue by taking advantages of the families, particularly the families of the missing in action. And I publicly, in the U.S. Senate and the U.S. House of Representatives, took these people on time after time.

I had the cojones to do it and I've paid a price for that, and you know that's the truth and that's what it's about. It's about frustration. It is about identifying someone who does stand up and has a view and that person becomes a lightning rod and that's what happened.

The CHAIRMAN. What was the view that you expressed?

Ambassador ARMITAGE. It depends upon the issue. I spoke one time about Mr. Gritz, who was alleging he had provided the committee—provided the U.S. Government with remains of American servicemen, that he could continue this. The fact of the matter is those remains were pig and chicken bones. I so testified in front of a huge room, much larger than it is today to the hoots and the derision of the gallery, if you can imagine, just testifying to the truth. Someone has to do it.

The same thing had to do with a ring which was being offered for money, the ring of a POW/MIA which was being offered by one or another of these folks who were, in my words, trying to make a living from the issue, trying to get money from the family of a missing serviceman. I spoke out publicly in hearings.

The CHAIRMAN. Well, let the record show, Mr. Armitage, we are going to—we have four people now working on that kind of issue

and before this committee is finished, we will publicly air the question of exploitation and fraud. I think everybody in their right mind has got to admit at this point in time that it has happened.

A number of pictures surfaced in this past year with families, who with extraordinary certainty and tears and all of the frustration of years coming out, identifying loved ones, only to find weeks later after the certainty had been expressed, that indeed those photographs were fraudulent. And they were not just a photograph that showed up, they were specifically put together to purport to be specific people.

That is an amazing distance to travel to torture people over this issue. So the country must understand the full measure of that. Do you have anything you want to add to that aspect of this issue?

Ambassador ARMITAGE. To the coverup—or rather to the scam artists, et cetera? No, I'm, like many others, awaiting the outcome of your deliberations. I can't wait.

I remember in 1986, I think it was or 1984, after one of my trips to Hanoi, I gave a rather major press conference in Bangkok, and I had found already that these independent operators were very much not only distracting attention in the U.S. Government, but really giving the Vietnamese a great deal of glee, and I came out in Bangkok and I blasted those who would profit in any way off this issue, and I can mark myself from that moment, when my personal problems on this issue started.

Senator McCAIN. Mr. Chairman?

The CHAIRMAN. Thank you, Senator. Thank you. I apologize, I will give you extra.

Senator McCAIN. General Perroots, first of all, let me establish, there is no doubt in your mind then, and it is substantiated by a memo that Major Smith and Mr. Hendon, former Congressman Hendon, had?

General PERROOTS. Stated they had.

Senator McCAIN. Stated they had names from the tape?

General PERROOTS. Yes.

Senator McCAIN. There is no doubt in your mind whatsoever?

General PERROOTS. No.

Senator McCAIN. You remember it vividly?

General PERROOTS. Yes, sir.

Senator McCAIN. I would like to, if I could for a moment, move to the issue of the so-called cluster theory, as you see, that is a very impressive map with lots of flags in it. We have had some references to it at yesterday's hearing.

As part of your work when you were head of DIA, did you also crank into the decisionmaking process this cluster situation, No. 1? And No. 2, what is your professional opinion of this cluster theory that has been purveyed in the last few weeks as some kind of compelling evidence that there were, quote, Americans left alive or are still Americans alive in Southeast Asia?

General PERROOTS. The clustering analyses is not new. Any analyst would determine the extent of activity in an area to cue collection, et cetera. We've been doing that for years. I went one step beyond that, Senator McCain, somewhat in response to the, quote, debunking offensive, you know, and when you were talking about these photos, Mr. Kerrey—Senator Kerrey, the courage that these

analysts must have to say that we don't believe that is a valid photo puts them very often in the category of debunking. So it's a 2-way street.

But, I went beyond that and I brought in the analysts that weren't involved, even, with the regular investigation. I went to what we call a production part of DIA and I said, you are professional analysts that do operations analysis and intelligence across the board. I want you to assume every report is a valid report. I want you to cluster them and I want you to determine—at the same time, I had this concept and which was implemented, of developing a capability of doing more on the ground and that's all I'll say here.

And my idea was again to send a message to the American people that notwithstanding the fact that we don't have the precise geographic locations, and not withstanding the fact that we don't have the very hard pervasive evidence that perhaps we'll have at least a key to put in an indigenous team to go look and come back and say, we tried another thing. And so, they did that and they came up with essentially, I suppose, maybe the pattern would be similar, because it's basically where the activity was.

But I would caution—I would caution anybody about taking that quantum leap of saying that that constitutes any hard evidence that there is a single, a single living American there.

Senator McCAIN. Because of the methodology.

General PERROOTS. Of course. That's a statistical reporting analysis. That's what that was.

Senator McCAIN. Thank you. Mr. Chairman, there are a lot of questions I would like to ask this panel and I know we have another panel waiting, so I would conclude. Thank you for your patience and I thank the panel.

The CHAIRMAN. Thank you, Senator McCain. Senator Reid.

#### STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM NEVADA

Senator REID. Mr. Chairman, let me ask this question. You have indicated, General, that you do not know of any hard evidence that there is anyone alive now. In your expert opinion based on all the information that you had at your disposal and now have at your disposal, after Operation Homecoming in 1973, do you feel that there were people left behind, Americans left behind other than Garwood?

General PERROOTS. Yes sir, I do.

The CHAIRMAN. Would you pull the mike up to you? I interrupted your answer and I want you to answer again, but pull the mike up, could you, please?

Senator REID. He said yes, I do. And upon what do you base that, General?

General PERROOTS. I base it on much of the evidence that this committee has seen, and the logic that says that with so many live sighting reports—with so many reports that indicate that they were alive at the time, we should have gotten more, especially out of Laos.

Senator REID. The question that we have gotten almost unanimous agreement on is that it is doubtful if any people are now alive. Would you agree with that?

General PERROOTS. You know, Senator, I hope you don't think I'm evading the question by saying I don't know.

Senator REID. OK.

General PERROOTS. I just don't know. If you ask me the question, I will honestly respond. But I don't think I—and let me tell you why, that there is an organized, institutionalized effort to hold a number of people for whatever reasons, barter, et cetera. It defies my logic.

It defies what I know to be an intense intelligence effort that we've applied that I think would give us a key somewhere on the penal system, the medical system and I found myself, as I listened to the hearings all night, Senator Kerrey, somewhat feeling pretty good about all the things—many of the things that we did that Ross was recommending, like full corps press and NSA.

We put a full 6-month effort to relook at the tapes, like don't pay attention to what happened yesterday, let's go on. We did that. And frankly, I just have to believe that we would have triggered some—some—to include third-world diplomats, et cetera, that we mobilized that had access in those days. I never got the key. So I don't think, in my view, that we're going to find a smoking gun that says that Laos or North Vietnam have in a formal way kept these people for leverage. I don't think so.

Now, if you're asking me is there even some Americans kept against their will, perhaps in a cave by a chieftain somewhere in Laos, or even perhaps with a family, I am more inclined to support that, and I do believe.

Senator REID. You are inclined to say that is possible?

General PERROOTS. Yes, and I do believe, frankly, that we have to go on that assumption.

Senator REID. Ambassador Armitage, would you agree with the General?

Ambassador ARMITAGE. I'm not sure where he ended up, Senator. I think what I'd say is I believe there are Americans in Indochina. I don't know the circumstances, but I do know that it was my acting assumption from my very personal involvement from the early 1970s with people who became POW's who were colleagues of mine, comrades-in-arms and who did not return in Operation Homecoming, that people were left behind.

Consequently, it is my view today that people are there. I cannot prove that to you. I cannot prove what conditions they're there under.

Senator KERREY. In other words, you mean they may be living freely?

Ambassador ARMITAGE. They may be living freely.

Senator REID. Ambassador, so I understand what you are saying, you agree with the General that after Operation Homecoming there were Americans left alive in Southeast Asia.

Ambassador ARMITAGE. I do.

Senator REID. Fair statement?

Ambassador ARMITAGE. I do.

Senator REID. And you have elaborated on what the General said and given your personal opinion that today you believe that it is possible that there are Americans still alive in Southeast Asia.

Ambassador ARMITAGE. Indeed so, Senator.

Senator REID. Mr. Childress, what is your comment regarding that of the Ambassador and the General?

Mr. CHILDRESS. I think there's a—I believe there's a possibility of Americans in Southeast Asia in some category that is not defined. I don't know if anyone's being held prisoner. I would add that if they've all perished, the discrepancy cases—and I think it's important to remember that Vietnam could solve the live prisoner issue by returning their remains. So the key question is, if they're not alive, why is Vietnam not solving it?

Senator REID. Ambassador Armitage, I frankly did not hear your answer, so I would like you to repeat it. You had how many tours of duty in the military in Southeast Asia?

Ambassador ARMITAGE. I had one on a destroyer off the gunline as a volunteer, and three voluntary tours with the Vietnamese Riverine. I was an advisor.

Senator REID. And what did you do on those—how many—once on a ship, and what else?

Ambassador ARMITAGE. Three inland, I was an ambush-team advisor.

Senator REID. You worked with the South Vietnamese?

Ambassador ARMITAGE. That's correct. For two tours I was an ambush-team advisor, and one tour I was senior advisor to a 20-boat RPD, riverboat patrol division.

Senator REID. OK, just briefly tell me, you were ambush advisor. Tell me what you did, I'm not military, I don't know.

Ambassador ARMITAGE. We set—it was no great secret, we set up ambushes. On my first tour, about say 130 times during the course of that first year, we were trying to interdict lines of communication, and this was in South Vietnam and these were lines of communication primarily of the Viet Cong and not the North Vietnamese.

Senator REID. And when you went on your third tour of duty, you were dealing on a boat?

Ambassador ARMITAGE. No, the second tour—well, the second in-country tour, I was on a patrol craft not unlike Senator Kerry's. I had 20 of them under my purview as senior advisor. That was on the Cambodian border. And then the third tour, I was in II Corps, again as a senior advisor, but also as an ambush-team advisor and this time we were dealing with NVA's, not the Viet Cong.

Senator REID. And these tours of duty were how long, each one of them?

Ambassador ARMITAGE. The first one was a year, the second one was 9 months, and the last one was about 7 months.

Senator REID. Now, the reason I have laid this foundation is to get your opinion on a statement made by one of our witnesses yesterday, a man by the name of Meurer, is that how you pronounce it?

The CHAIRMAN. Meurer.

Senator REID. Meurer. He said that he talked to a Chinese man that in effect said that if, in fact, there were prisoners being held

there would be no reason for the Southeast Asians to keep them alive once they were kind of in the way. I am paraphrasing what he said. And you, having lived literally with the Southeast Asians for 3 or 4 years of your life, what is your comment on that?

Ambassador ARMITAGE. I think that is a very dangerous assumption to make. I don't understand why they would keep people alive. I don't understand why they won't tell us what they know. I know that they lied to us about Bobby Garwood and he came out. They lied initially, at least a lie of silence, on the Schwab case when Dick Childress in the main and me secondarily were probably the only two people outside of Schwab's parents who thought he was alive. I don't know why they do this. But I would not underestimate their own revenge and their own hatred.

The CHAIRMAN. Can I say one thing? We asked that question with respect to Garwood. And their answer was he asked us not to tell until a certain point of time. I am just saying what they say. But the minute he said he wanted to go home, he went home, that is their answer.

Senator REID. So the point is, Mr. Ambassador, your having spent as much time as you did in that part of the world, you understand how little you know about the reasons that they do things, is that a fair statement?

Ambassador ARMITAGE. Well, I think I'd rather say that I am not going to apply our standards to them.

Senator REID. It is fair, though, that you do not understand their reasoning, why they do things, as much as you spent time—

Ambassador ARMITAGE. No, I understand why they do a lot of things, and I think all of you do, as well. I think why they try to divide the American Nation on this issue just as they did during the war, it's good strategy. I can't tell you why they might keep Americans alive nor can I tell you—prisoners—nor can I tell you that there are prisoners. I just can tell you my personal belief that there are Americans in Indochina under some conditions.

Senator REID. And this is based upon a general knowledge you have of all the facts, not any hard facts that you can point to saying I know that they are alive and I have a general idea of where they might be?

Ambassador ARMITAGE. There are no hard facts that I can point to, but I can point to you that I am a victim or a beneficiary of my background just as all of you are, and my background was very personal on this issue with a friend of mine who was captured and I spent 2 nights on a canal trying to be a blocking force to keep him from being extricated from the area, and we were unsuccessful and through the length of my tour kept getting reports about this man being moved from place to place. So I was in early and it affected me and how I feel about this issue. This man did not return in Operation Homecoming.

Later, at the fall of Saigon, at the very day it fell, I saw Americans of all sizes and shapes coming out of the woodwork, either get on the boats which I was with or to get on aircraft. They were on nobody's list. No one's list of anything.

In the late 1970s, as I worked for Senator Bob Dole, the National League of Families came up and worked hard with Senator Dole, and I was the AA, they worked hard with me making sure this

issue stayed alive. So I have been very much affected by my background in this. This thing's been kept alive in my mind. We didn't have any dead periods.

Senator REID. Ambassador, how do you think that your name has gotten and what reasons has your name gotten so involved in you being part of the drug traffic from the Golden Triangle and, you know, I have seen this in—I am sure you have more than I have.

Ambassador ARMITAGE. I believe it originated in the Christic Institute.

Senator REID. But why?

Ambassador ARMITAGE. Well, who knows. I think that whole episode, as far as I know, was out of whole cloth. And even the Christic Institute had the decency to remove it from a subsequent submission in an affidavit because they had no basis for any of their allegations.

For instance, I was a midshipman at the Naval Academy during some of the time I was allegedly working in the Golden Triangle. I have never been there. I was Bob Dole's AA during a subsequent time when I was allegedly the CIA station chief. So when people make this out of whole cloth, others for their own purposes want to perpetrate it.

Senator McCAIN. I want to go to another important factor here. All these allegations were investigated by the FBI, is that not true?

Ambassador ARMITAGE. Twice, to my understanding, Senator, and by the GAO and internally in the Pentagon and not a few Congressmen and Senators have looked at it.

Senator McCAIN. And the results were all totally that the allegations were false?

Ambassador ARMITAGE. Baseless and groundless and further, I believe if you check with the FBI you'll find that they reside in a cadre of activists on this issue. They have their origin, a common point.

Senator REID. Mr. Chairman, one last question. I know my time is up. What we hear when we go home, town hall meetings and other places, is that even though we have spent days of our time, staff has spent months of their time taking depositions and trying to find out what has gone on in Southeast Asia and you men have all spent a good part of your life dealing with this issue, that we are confronted with a general coverup, that there is, as Senator McCain has mentioned, that there is a coverup, that there is a conspiracy that because people were left behind, because there was a policy decision made in the high levels of our Government that you and I guess us, we are part of this coverup to keep information from the American public. How do you respond to this?

Ambassador ARMITAGE. If you try to get this down to a situation of consensus where everyone agrees with you, you will fail. It is not possible, I believe, to get a consensus on the issue. The only thing we can do is, I think, internally when I was active in the department we had seven different investigations. Each one showed that there was no conspiracy and coverup. We have to depend on whatever you find to help in this issue, but it is not going to resolve it and it is not going to eliminate in the minds of some the fact that now you are part of this conspiracy.

The CHAIRMAN. But you can understand—you can understand—and I am beginning to see something here, frankly. We have been at this for 7 months, and I am beginning to see some things emerge here. I mean, you have all agreed, as have many other people in front of us, that it looks as though some folks were left behind, correct?

Mr. CHILDRESS. Correct.

Ambassador ARMITAGE. Yes, sir.

Mr. CHILDRESS. And we said it publicly.

The CHAIRMAN. I understand. But you did and you did not. Because you also understand that the Defense Department in 1973 had a major statement come out saying, and the President said, they are all home. The Defense Department said they are all dead. They also said nobody is alive. So beginning in 1973 you had cross currents that were at work. You had one part of the Nation being told everybody is accounted for or they are dead. But you had this other group who understood that was not true, correct?

Well, there it is. I mean, that is the beginning of it. And for 20 years, the people who understood that it was not true have pounded away and pounded away. And as you said yourself, we overclassified. So they did not get a lot of answers.

I mean, you would not have had to raise this, Mr. Childress, to a new level of concern in 1985 if it had been raised to its level of concern necessary previously, correct?

Mr. CHILDRESS. Absolutely.

The CHAIRMAN. So it is perfectly normal that there was a frustration growing and building. You are shaking your head.

Ambassador ARMITAGE. It is obvious on the face of it, and I think I have said the frustration has grown. I think we added to it by our very public stance. But I don't know—

The CHAIRMAN. But the point I make is—I am sorry to interrupt you—is that there really is no mystery about where all this cry about conspiracy comes from. I can understand how people would get frustrated after pounding away at the doors of Government for 10 years believing a loved one is over there and alive with cause to believe it, and then you arrive 10 and 12 years later and you are still not getting answers. I mean, this is not complicated.

Ambassador ARMITAGE. I jumped into the issue in an official way in 1981, and I know that when my colleagues and the National League got very active in this and raised the priority and did all these things, initially for the first 4 years or so I believe it is fair to say we were greeted with great enthusiasm across the board—across the board.

Now, there were some pockets, but as a general matter, we weren't suffering cries of coverup and conspiracy. There was a lot of bemoaning the inattention and what didn't go on from 1973 to 1981. The first couple of years, it was a honeymoon, if you will, and it was only later—and I trace it in my personal involvement to that rather dramatic press conference in Bangkok which I gave. That is just a personal anecdote.

The CHAIRMAN. Well, I think it is an astute one.  
Senator Grassley.

STATEMENT OF HON. CHARLES E. GRASSLEY, U.S. SENATOR  
FROM IOWA

Senator GRASSLEY. Yes, I have questions of two of you. I will start with you, Ambassador.

After the fall of Saigon and before you went to work for Senator Dole, could you tell us what you were doing?

Ambassador ARMITAGE. Yes. Until Mr. Ford lost the election, I was part of the defense representative staff in Iran, particularly with Navy and special operations programs on the staff of a Mr. Eric von Marbod. When the election was lost I came back to the United States for some period of time, and then went back to Thailand along with a retired brigadier general in the Air Force to try to start a business. And I would be 2 weeks in Thailand and 2 weeks back in California. It was very unsuccessful, and after a couple of months gave it up. And then I joined Senator Dole. I was here in the area.

Senator GRASSLEY. What was the business you were trying to get started?

Ambassador ARMITAGE. We had a tour business organization, a tour business originally, trying to encourage tourists to Southeast Asia. That was too hard to do. We got into rattan, which for me was also too hard to do, Senator.

Senator GRASSLEY. General Perroots, did you ever observe in the DIA POW office any indication of what we term here the mind set to debunk?

General PERROOTS. The charge of debunking was so pervasive when I assumed the position of director that I attacked it immediately, perhaps even with overkill, not only moving people around, putting new people in, establishing a group so that one person could not debunk, personally getting involved. But certainly there was evidence, based on the Gaines Report, an internal report, that there was very often an unconscious and sometimes perhaps even conscious mind set that comes with—Gene used to tell me, General Tighe, they burn out. They're tired. Here's another one. That kind of a thing. But I can honestly say, and I say this with no motive to stroke myself, that during my tour, once we launched these initiatives that I articulated, it was very difficult to have cases of debunking.

Senator GRASSLEY. On another point, it appears to us that—or at least to me—that human intelligence sources exploited for the POW information in Indochina, at least since 1975, have been nearly exclusively Vietnamese, Lao, and Cambodian refugees. So, General Perroots, within the boundaries of security, could you comment on the apparent absence of any aggressive, positive, human intelligence collection effort?

General PERROOTS. Well, one of the reasons, of course, there wasn't a more aggressive, positive, human intelligence action was resources, was the climate that was articulated here during the time, was the fact that after the operation in Laos Panhandle there was a sort of I told you so attitude. I, again, was concerned about that, and we launched an initiative to improve, to establish within DOD, this capability.

Now, there were some human capabilities other than the refugees. There were some military collection efforts, there were, of course, the entire attache arena, there were other humint sources that were being exploited during this period. But as far as a programmed, on-the-ground effort, it was very weak.

Senator GRASSLEY. Referring to your words that you just used, that you tried to establish within DOD some human intelligence efforts, the extent to which you tried to get them established, were you successful in getting them established?

General PERROOTS. Yes. Yes.

Senator GRASSLEY. To the degree you wanted to?

General PERROOTS. Well, never to the degree—no intelligence officer is satisfied with what he got. But yes.

Senator GRASSLEY. The extent to which you did not get what you wanted, what would you say the major reason was?

General PERROOTS. Resources. Resources.

Senator GRASSLEY. Budget?

General PERROOTS. Well, personnel resources, budget resources. For every individual that we put out there that's military has to come from the services and, of course, it has to be funded.

Now, again, I was satisfied with the support that I got. And it's been implemented and it's growing, and I think you have briefings on the program.

Senator GRASSLEY. General, again, on another point, did you ever see any intelligence information that strongly suggested to you that American POW's were transported from Vietnam to Laos to the Soviet Union or to China?

General PERROOTS. I cannot recall a single hard piece of evidence during my term as director.

Senator GRASSLEY. Mr. Chairman, that completes my questioning.

The CHAIRMAN. Thank you very much, Senator Grassley.

What we will do here is try to wrap this panel up if we can in the course of the next half-hour. We are going to go straight through here. Senator Baker and Mr. Cannon are the only two members of the next panel, and I think that will not be as long a panel. So I think it is good for us to just hang in and go through.

I would like to pursue a number of areas if I can, quickly, and I appreciate, incidentally, the sharpness and brevity of your answers. I think it is helpful to the committee to be able to move through this that way. Obviously, where you want to add anything, we welcome your doing so.

I want to try to think out a little bit the resolution of this and deal with hard realities in doing so. And you have all sat around the table and you have talked these things out in private, not always in public. But here we are in 1992. We have a body of evidence that grows older in many regards. The live sighting reports, certainly a live sighting report that somebody saw somebody in 1975 or 1976 might help now establish whether someone was really there. But I think we have basically established that potential. There are people to be accounted for, and this issue will be resolved only through that accounting.

Now, it has been measured, but it is happening. Of General Vessey's 135 people and our 130-some and DIA's probably additional

number, some 57, if I am correct, have been repatriated as remains. Is that not correct?

Ambassador ARMITAGE. That is my understanding, Senator.

The CHAIRMAN. I see, Ann, it is not that many. What is the number?

[Response made by Ann Mills Griffiths, Executive Director, National League of Families.]

Ms. GRIFFITHS. It is 57 in addition to the 135, and those are the confirmed dead with the remains not yet repatriated.

The CHAIRMAN. So there have been 57 remains repatriated outside of those. We still have question marks, very serious question marks. In many cases, it is our belief the Vietnamese can answer these.

Now, a number of you have said the Vietnamese can easily answer this. They can tell us. This can be handled. Now, I do not really—I am trying to be pragmatic here. I do not want to carry a brief on any side except an honest resolution of this. I am not sure it is fair to say that the Vietnamese can easily resolve every one of these cases. In some cases, you have got units that may have had a prisoner, they may have been on the Ho Chi Minh Trail, and we may have bombed the living whatever out of it and the whole unit was wiped out, including our prisoner, is that correct?

Ambassador ARMITAGE. Sure.

The CHAIRMAN. Correct?

General PERROOTS. Yes, sir.

The CHAIRMAN. Who is around to give an accounting to that?

Mr. CHILDRESS. Senator, if I could, based upon our database alone, when I left our estimate was that the Vietnamese could account for hundreds of cases easily. Clearly, not all of them. We told the Vietnamese that we have certain cases that we know will never be accounted for.

The CHAIRMAN. But let me say again for the record, Mr. Childress, that was 1985.

Mr. CHILDRESS. No.

The CHAIRMAN. That was when?

Mr. CHILDRESS. Through 1989, when I left.

The CHAIRMAN. 1989.

Mr. CHILDRESS. Right.

The CHAIRMAN. How many cases have been accounted for since that time?

Mr. CHILDRESS. I'd have to look. We did 175 from 1981 to 1989. I understand this year and the year before were the two worst since 1982 in terms of returns of remains. Now, when I say resolve easily hundreds of cases, I mean either you either have a live prisoner, remains, or an explanation why neither is possible through archival research or the rest. And in those categories, there are many hundreds of cases they can resolve for us.

Beyond that, you are talking long-term efforts, maybe crash site excavations, maybe never finding anything. Our problem of always defining what's the fullest possible accounting has been we only have our database. We don't know what the Vietnamese database is. But in a full, cooperative effort between our governments and their cooperating, we will know when we get there.

The CHAIRMAN. OK. Now, it is fair to say that the 135 or so that we are dealing with as a universe represents the best potential for the easiest resolution, is that correct? These are the cases we have the biggest question mark about, about which they should know the most, and we ought to be able to get an answer.

Mr. CHILDRESS. From our database, that's correct.

General PERROOTS. And the ones that are most likely alive, if there are any alive.

The CHAIRMAN. And the ones that were most likely alive at some point in time.

General PERROOTS. Some point in time.

The CHAIRMAN. Now, when I was over there most recently, I was again struck by the fact that when a Caucasian walks around in Vietnam it is not an incident of small notice. You all would agree with that?

Ambassador ARMTAGE. Particularly when you are 6'4" or whatever you are.

The CHAIRMAN. Particularly if you are 6'4". But when any Caucasian is around, it is still in Vietnam something of curiosity, fairly significant curiosity. I mean, hundreds of—I walk into a village and be surrounded by 150 people. It is very hard to understand how Americans could be moved or moving without a community noticing it in a way that would create ripples of information at some point. Do you not agree, or do you think that is wrong?

Ambassador ARMTAGE. No, I agree, if they are not afraid to chat or talk, that's true.

The CHAIRMAN. Well, if you have people out in the countryside, is it your experience that it's difficult getting people to chat?

Ambassador ARMTAGE. I'm not sure since the fall of Saigon, we've had so many people out. Generally, people will talk to us in these investigations.

The CHAIRMAN. What I am getting at is this. When I was there, we met with the British ambassador, the French ambassador, the New Zealand, Italian, and one other country. To a person they said to me, Senator, you folks are crazy. You are denying yourself access to Vietnam. We go all over the country, our people. Our field people from our embassy are all over the country. We are all over the country.

I met with the NGO's. The NGO's, all of them, the nongovernmental organizations said, we are all over the country. We go places. Our people, because of this constraint within which we are operating, do not move as freely as the people from these embassies or the NGO's.

Now, it just strikes me—and maybe I am dead wrong, and I am prepared to be told I am dead wrong, and shown why—but somehow it seems to me common sense that if we had people with that kind of access around the country, we are going to learn a whole lot faster whether somebody is alive, or what might have happened to somebody. Now, am I wrong?

Mr. CHILDRESS. Yes, sir. I think you are wrong.

Ambassador ARMTAGE. No.

The CHAIRMAN. You think I am wrong, and you do not?

Ambassador ARMTAGE. I don't think you're wrong.

The CHAIRMAN. Who wants to go first?

Mr. CHILDRESS. Let me say you're not totally wrong, Senator. I think the premise is that by walking around the countryside somehow we're going to find a prisoner. My premise would be—or information on them—that if at this late date the Vietnamese are holding Americans alive, they are not going to be anywhere accessible to people just walking around. It would be a state secret of such magnitude—

The CHAIRMAN. Good. I am glad you said that. I want that on the record, because it is part of what has to be put here. But I want your piece too, and then I will come back to you.

Ambassador ARMTAGE. I said, in answer to an earlier query from you, Senator, on what it would take to resolve the issue, that one of the things it would take would be a lot of free access, unannounced, et cetera. So, I'm in the main in agreement with you to the extent—if we've got free access, then we'll be a lot better off. I'm not sure, though, that having the villagers crowd around and chat with you is the same thing as getting information from them.

The CHAIRMAN. Well, I agree. But look, here is what I'm looking at. And I want to come back to you because this is the nub of it. This is where we are today. We have got 58 American military personnel going out into the countryside, going to prisons, asking questions. You have got Ross Perot saying, that is crazy. You have got other people thinking it is crazy.

A rational examination of it says, if they are truly holding somebody they are going to do it exactly as Mr. Childress said. So, what you are going to learn, however, is reality base. You could go into a village and somebody may learn, gee, you know, in 1975 there were three Americans living here, and this was their name, and by God they lived with us, and we just eat dinner, but then they left and they went to Thailand or something, whatever. You just cull information, and you build relationships. And from that you can gain a reality base.

But coming back to your point, and this is the key, where the country finds itself today, if the only way someone would be alive today in captivity is indeed as a matter of state secret, and I will accept that that would be the only way I think the government would hold them if they were, then the only way you get them is through negotiation, correct?

Mr. CHILDRESS. An admission through negotiations or if your intelligence was good enough to pick up the state secret.

The CHAIRMAN. Well, you have got to find a rationale for them holding them in a way that it is so necessary for them to keep it a secret forever that nobody finds out, so our intelligence does not discover it, so that they can then some day use them as a chit for something, if that is what they are holding them for. Otherwise, there is no reason for them to hold this great secret and go to such lengths, correct?

Mr. CHILDRESS. Well, that's always the dilemma.

The CHAIRMAN. Well, I want to deal with whether it is dilemma, or a fiction, or a reality. Now, let us assume they were holding them. We have gone 20 years now. There is not one American official who comes forward and says—with one exception possibly, and we do not know the truth of this one yet—that there is an offer of money, ransom, exchange.

Ken Quinn has been over there. You have been over there. General Vessey has been over there. John McCain has been over there. Senator Smith has been over there. Senator Grassley has been there. Bob Kerrey has been there. Senator Graham has been there. A lot of people have been there. Never once has there been an offer. If you do A, B, C, and D, we will give you these people.

Now, I would assume that President Reagan would have immediately taken them up on that, would he not?

Mr. CHILDRESS. We worked—the early years of this. The whole point of the negotiations on the live prisoner issue was to try to get an admission and make sure that the Vietnamese knew that we would handle it quietly, and sensitively, and work with them, and try to get them to tell us what they needed for it. I mean, I would have loved—

The CHAIRMAN. So, overtures were made?

Mr. CHILDRESS. Absolutely.

The CHAIRMAN. And you made one, did you not, Mr. Childress?

Mr. CHILDRESS. I have made several. And getting an admission doesn't necessarily mean paying for anything. But you can't negotiate until you get the admission, so we were working for that.

The CHAIRMAN. All right. Now, help me, because this is where you get into this crazy catch-22 for our Nation and for the Vietnamese. Frankly, for the whole region, for our policy. We have American businesses that today could be providing jobs to Americans. The Germans are in there. The Japanese are in there. The French are in there. The United States is holding back because our policy is we want a full accounting for POW. They tell us, we are not holding anybody.

We say, well, we need a full accounting. They say we are not holding anybody. You have all agreed that the likelihood—the only way they would be holding them is if it is in secret and they are holding them. So, there is no deal to be cut, but we keep denying ourselves any sort of change of policy, movement, or anything until they answer us. They answer us saying, we do not have anybody. We say, that is not sufficient, so we do not move forward.

You go around, and around, and around. If somebody were, indeed, there living freely or held somewhere else other than by the government, we do not advance our capacity to find that out except through this very prolonged process.

Now, how does this come to an end, gentlemen? How do the Vietnamese satisfy you that when they say, we have given you everything we have or we have answered those questions to the best of our ability, that you really have, and that you can say, gee, we believe they are not holding somebody.

Mr. CHILDRESS. Senator, they have refused to resolve the live prisoner issue. If there is no one there, they can resolve it. There is some element—

The CHAIRMAN. How?

Mr. CHILDRESS. By return of remains.

The CHAIRMAN. But supposing they cannot get at some remains, or do not have them, or do not know where they were. You say they could return all of them?

Mr. CHILDRESS. I am absolutely convinced in my mind that all of the discrepancy cases that are of high priority—

The CHAIRMAN. I agree on the discrepancies.

Mr. CHILDRESS. OK. Those are the focus of the live prisoner issue. And we told the Vietnamese that if they are alive, we want them back, and if they are dead, we want their remains. And I have told them point-blank.

Ambassador ARMITAGE. Or a better explanation.

Mr. CHILDRESS. Or a better explanation why they can't be recovered. But there are elements in the Politburo, obviously, in Hanoi, whether there's anybody alive or not, have made a decision not to resolve the live prisoner issue.

The CHAIRMAN. So, if in Vietnam today trying to understand this and reading this transcript, or listening to this, the clear message would be that if those 135 can be resolved, then the issue is resolved. Is that what you are saying?

Mr. CHILDRESS. No. What I'm saying is that in a context of them rapidly resolving the discrepancy cases in our database that we are of highest concern about, then we're seeing a sustainable process where we can start moving down the road map rapidly and get to the very things they want. If you lose your leverage in that context, they have no motivation after that to perform.

I mean, the way the Vietnamese operate, the way they negotiate, is precisely that way. If you give up your leverage, what do they do then?

The CHAIRMAN. You say, if you give up your leverage. I will come back to that in a minute. You wanted to say something, Ambassador?

Ambassador ARMITAGE. I just want to see if we have got one piece of common ground. I'm not sure we do. You made the very correct comment, Senator of, well, what if a unit had been obliterated and had an American POW. There would be no record. That's something I generally agree with.

But it is my experience, both in the south and the north, and I believe it's more generally the experience in Communist countries, that record-taking is an art form. We're kidding ourselves if we think they don't have fairly good records on who was where when. This is what they do to make up for all the work they're not doing in terms of economic development, et cetera.

This was exactly the theory that we operated under on the Schwab case—feeling that if this gentleman was dead, their public security bureau would know it, because no fisherman would dare come upon a Caucasian body without reporting it. So I think you've got to—at least, I would hope that you would agree with me that record keeping, the Vietnamese were probably pretty good at it, and that consequently they've got a lot more information than we've seen thus far. If you don't agree with that, then we're not on the same playing field.

The CHAIRMAN. We agree. The committee is in agreement with you that the record keeping is pretty good. We now have access to many of the archives we never have had access to.

Senator MCCAIN. But I would suggest, Mr. Chairman, in relation to what Ambassador Armitage is saying, that remember that Colonel Bui Tien indicated clearly to this committee that there was a significant amount of information that he knew that was at the disposal of the Vietnamese Government which they have not made

available to the United States. And I think that is a very important point that is being made here.

The CHAIRMAN. So, if when the 135 or so that we think that would most lend themselves to resolution are resolved, but the Vietnamese still say, we do not hold anybody alive, do we accept their resolution at that point?

Mr. CHILDRESS. My own opinion is that the 135 or whatever the discrepancy number is now is our database solely. We don't know what the Vietnamese know in their database over and above that. But I would say that if the Vietnamese respond in a substantive way to the 135, then we have narrowed the possibility of live prisoners significantly. And in the context of them continuing to cooperate that way, which I would assume they would continue, then we're getting pretty close to answering the question.

The CHAIRMAN. And the roadmap then permits additional activities which reward that kind of response.

Mr. CHILDRESS. Exactly.

Senator McCAIN. Mr. Chairman, I have one additional question, if you do not mind, very quickly. It's hard to always respond to these blizzards of allegations that fly over the transom, but there was one that I think needs to be responded to. General Perroots or our other two witnesses might want to.

The statement about that refugees are not only discouraged but are punished if they bring forth live sighting reports. Would not only note whether it is true, but also state what the policy is, and what you would do if you heard of such activity of discouraging or punishing refugees who might have information about live Americans. General?

General PERROOTS. My information—I've been there, and on the basis of what reports that I have, it's quite the contrary. Our problem is, as we raise the flag immediately of presenting information on PW's, MIA's that they respond to that. They get to the head of the line. They get special treatment, and they know that. Word gets out. I've cautioned our people not to be influenced by that, but to continue to ask the question.

The policy is—I, frankly, have never had a case. I was somewhat surprised at Ross' allegation. While I do remember him mentioning a DEA fellow—I think he even paid his salary—that he put out there. But I don't recall any instances where there was any indication or evidence of them being punished or their being reluctant to come forward.

Mr. CHILDRESS. Senator, I've traveled the camps with out interviewers up and down the border many times during the 1980's. Quite to the contrary, the refugees are treated well. They voluntarily come forward. And if we had any evidence that an interviewer was doing something he should be summarily taken out of the issue.

Ambassador ARMITAGE. It would be the quickest way to get resettlement in the United States if a refugee could show that he had been mistreated or subjected to pressure not to give information. That particular person would be air mailed here immediately, as far as I am concerned.

Senator McCAIN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Smith?

Senator SMITH. Mr. Chairman, one of the flaws in the argument that the reason why the Vietnamese may not hold anybody is that they never made any overtures—well, we do not know that for a fact, but assuming they have not—is maybe, the reason may be that they do not want to make any overtures.

I do not mean to make light of this issue, but as an example, the farmer who had a little puppy. And his neighbor came over and asked him if he would take \$500 for that puppy. And he said, no, it is my son's; it is a pet, and I am not going to part with it, and that is that. The guy then said, would you take \$5,000 for the puppy? And with that the farmer said, would you like a receipt?

I think the issue here is that if in fact there is a willingness—trying to figure out the psyche of the Vietnamese or the Lao is something we have all been trying to do for years. We have not been very successful at it. We do know, and I think you are very correct, Mr. Childress, in what you said about the fact that they have withheld information. And if they did resolve it simply—I do not believe the universe is just the discrepancy cases. There is some disagreement on the committee on that. But I do not believe that is the case.

But just sticking to those cases for a moment, that universe, you are right. They certainly know what happened to those people. They were filmed alive in some cases, seen alive in some cases at the time of incident, and so we know they know, and they have not told us that. If they have not told us that, why would they tell us that they were holding somebody in a prison somewhere?

And the other thing is that in terms of prisoners, I do not know about you, but I—unless my brother was in there, God forbid he is not, or my next door neighbor, I could not tell you who was in the prisons around here. Does anybody know who is in Lorton or some other prison? I do not have the slightest idea, and I do not see them on a day-to-day basis. So all that is just nonsense, as far as I am concerned. It is absolute nonsense. The truth of the matter is that if the Vietnamese have people they are going to give them to us when they want to.

And let me come back to a couple of points specifically. In terms of the issue, and sometimes we are all—I very much sympathize with you, Mr. Armitage, in terms of some of the personal views. I have had a good share of it myself, as we all have who have been in this issue. It seems like that is the nature of the beast, that if you are involved in this issue, you have got to wear a bullet proof vest. But maybe in the end it will all be worth it.

But, you know, the thing that bothers me is the war that we have between the executive and the legislative branch on this, at least that has taken place while I have been involved. And I think it has been true before that. And there is no reason why. And it is not directed at you, because you were not in that high a position—you were in high positions, but not as high as I am getting at.

There is no reason why some President from Nixon to Bush could not have said, enough is enough. I want a full scale investigation on this whole matter. I want to know what happened. I want to see those documents. I want to put it all together. We are going to flush this thing out. That did not happen. That is not meant to be critical of anybody in particular, but it just did not happen.

We are doing it. And I will tell you something. It is damn hard for us to get this information from the executive branch. It is not easy. And sometimes it is simply a matter of witnesses perhaps like yourself who simply do not have the answers that we are asking for. Somebody else may have. But if we do not know who has them and we do not ask for those people, we do not get to see those people. And we are told, if you want a specific document, Senator, ask for it. Well, if I do not know what the document is, how can I ask for it?

And this has been the ongoing—I would just invite a brief response, because I have several questions I want to get to. I would appreciate some type of response as to what do you think. Is that a fair question, that somebody in the executive branch, whether it is the President or somebody he designates, could not have done this?

Mr. CHILDRESS. I think part of the problem is, in this case Senator, when we came in in 1981 and 1982, you had believers coming in who already knew about discrepancy cases and felt the ambiguity at the end of the war left the possibility of prisoners being held. I mean, we did not need an investigation, we knew it, we felt it. We did not have to go back for documents. So, we changed the policy based upon that knowledge to go forward. And I think we would have said, we are investigating things we already know.

Now, there are certainly specific things that you all have uncovered that I did not see in detail, and they are quite interesting, but I still have not seen anything that changed my basic feeling about the way the war ended and what we were pursuing yet.

Senator SMITH. Do any of the three of you know, either first hand or did you hear any hearsay information about an offer in 1981 by the Vietnamese to then President Reagan early in his administration?

Mr. CHILDRESS. It came out publicly in the mid-1980's. I called my predecessor, because I took over in January 1982, to check it out. He said he had never heard of it. He would have known. I think I put in a call to Dick Allen. I don't know if it was returned or not. I can't remember. But it was one of the rumors that hit in the mid-1980's; also tried to check calendars to see if meetings had taken place. I came to the conclusion, from everything that they told me, that the meeting and the offer did not take place. I see it's back on the agenda.

Senator SMITH. So, is that your response?

Ambassador ARMITAGE. I have no knowledge.

Senator SMITH. General Perroots, you were not at DIA at the time. Do you have any information? Did you get any information while you were in DIA that would substantiate the fact that there may have been an offer from the Vietnamese in 1981 to then President Reagan?

General PERROOTS. No, sir.

Senator SMITH. Any second hand information?

General PERROOTS. No.

Senator SMITH. We have, as you know, three sources who have indicated the opposite. I also spoke to a former high level official in the intelligence community who indicated, although he had no direct knowledge of it, that there were a lot of comments, a lot of

commentary, a lot of scuttlebutt throughout the agencies that in fact this meeting did take place and that there was an offer.

Now, that is all I am saying. I do not know the circumstances of the offer. I do not know if it was a bogus offer. I am not representing the offer. I am just saying, that is what we are being told, and all of you say that you do not have any knowledge.

Mr. CHILDRESS. I came after the event, but I can tell you that any hints at offers—

Senator SMITH. Who was your predecessor?

Mr. CHILDRESS. Bob Kimmett for that year. But, any hints of offers that were serious that we ever heard of would be followed all the way to its logical conclusion.

Senator SMITH. Nothing from Kimmett—no information?

Mr. CHILDRESS. No. I asked Bob if he had heard of it, and he was responsible for the issue, and he had been the staff guy on the NSC. He told me he did not know of such a meeting or any offer.

Senator SMITH. Mr. Childress, were you involved in any offers regarding remains for money to the Vietnamese?

Mr. CHILDRESS. Offers by the Vietnamese?

Senator SMITH. An offer of United States dollars to the Vietnamese.

Mr. CHILDRESS. No. I've never be authorized nor offered money for remains or live prisoners. We have had—and I don't want to go too far, because we may have to get in closed session, but we have had a third country notification to us that remains and perhaps live prisoners would be available to the United States for development aid or whatever. We followed that up all the way to the Vietnamese.

Senator SMITH. Maybe you misspoke. I may have to go back to the record on this. You just said we have had offers or overtures from third-party nations.

Mr. CHILDRESS. I'm talking about one specific overture in the mid-1980's.

Senator SMITH. For remains and live Americans.

Mr. CHILDRESS. Well, we're getting this not directly from the Vietnamese. This is what I'm talking about, following up.

Senator SMITH. I mean, you got it from a third country.

Mr. CHILDRESS. I got it from a third country. We followed it all the way up. It was not live prisoners at all, and we did not offer.

Senator SMITH. Could that have been the 1981 meeting?

Mr. CHILDRESS. No, no. This is new. This is 1985. I'd be glad in closed session to talk about the third country, how we ran it down, but I think if we go too far on that it could affect current Vietnamese responsiveness or negotiations.

Senator SMITH. I want to pursue that in closed session. We have some other information that the committee has come into contact with regarding that, and it is important for us to do a closed session on that, so I would like to pursue it with you.

Mr. CHILDRESS. OK.

Senator SMITH. I might wish to come back to this momentarily. It is my understanding, General, that your office is providing a copy of the memorandum or whatever it was that you—they are making copies. I have not seen it yet, so I do want to come back to that. I want to revisit that point, Mr. Chairman, when I get that,

and it should be in a moment. And if I could have that, I will be happy to yield at the moment.

(Pause.)

The CHAIRMAN. Well, we are about at the end of this panel. A point that I would like to underscore about having people also move around the country with access, et cetera, is not that you are going to—I mean, you have got two choices here. Either people are out there in some form in which you can see them on occasion, and therefore you are going to be helped, or they are not, they are totally secluded away, as you said. OK? But if that is true, then that denies every single flag up there on the wall.

I mean, every live sighting report that we have, every single one of them, is somebody who saw people. And even the people in captivity, many of those reports report about captivity, are out in the open.

What is bizarre, to say the least, is that in recent days we were told by the Soviet Ambassador to Cambodia, who was the number two person in Hanoi, that in 1986 Gorbachev personally contacted him to instruct him, per the administration's request, I assume, to ask all of their people in Vietnam whether there were any live Americans.

And they informed us there were 5,000 technicians, Soviet personnel in Vietnam, which we did not know at that point in time, all of whom were asked to report back whether they knew of any live Americans in Vietnam. And this ambassador, who was the number two person said to me, nobody reported anything positive back to us. There was no report of any American in Vietnam.

Second, not one of the embassies that have been operating there for years, a decade plus, has ever reported to us that any of their personnel have come across a live American, notwithstanding that they are moving all across the country. Not one of the NGO's operating in country has reported to us that they have come across a live American or seen a live American. So you really have to weigh the common sense reality here of all of these people who are moving around Vietnam.

Now, the counter to that is always—you know, when you are with someone who wants to counter it, they will say to you, well Senator, of course they are not going to see them. They are held in a secret place, right under your feet in the Ho Chi Minh Tomb, for instance. That is where they are.

Now, if that is true, then we will get them, as Senator Smith said, only when they decide they want to give them to you, which brings you back to the negotiation part of it. But if they are not held that way or—excuse me. If that is the only way that they are held, then you cannot simultaneously make an argument that depends on live sighting reports. You cannot have it both ways.

So we have got to get some reality back into this. If they are taken out of prison, and taken into a field, and working in the rice paddies, as has been alleged, then you have got to have people around the country because you could find them. And if they are not, then you have got to negotiate.

Those are the only two ways that I think you kind of come at this. And we have got to find a way to make sure we are doing both of those to a greater degree or, excuse me, to the greatest

degree possible. And I am not convinced that either are happening at this point in time if this is, indeed, the highest national priority.

Now, having said that, we are going to move on to the next panel momentarily. I think we have the copy of the memorandum here. I have just read through the memorandum, and I do not know if Senator Smith has questions on it. Indeed, the last paragraph says—there are eight paragraphs. We will release this to the press.

The last paragraph says: the question was asked, could Mark Smith identify any of the POW's. I might add, the date on this is March 5, 1986. Memorandum for the record.

The question was asked, could Mark Smith identify any of the POW's from the tape or provide names of the POW's. Mark Smith's response was that he had names but would not provide them. Congressman Hendon made the same comment that he had names also, but would not provide them. As the meeting began to break up, Congressman Hendon reiterated that his role was that of a conduit between the two sides.

So, I do not have any questions on it. I do not know if Senator Smith has.

Senator SMITH. Well, first of all, this is a memorandum not by you.

General PERROOTS. Dick Shufelt.

Senator SMITH. You indicated that it was your memorandum. Let us get that straight for the record that this was Dick Shufelt's memorandum, who was your assistant. That is number one. Number two, the memorandum is a 2-page memorandum which goes into great detail about a number of people who were trying very hard to determine—make some determination as to whether or not this was an accurate tape.

As you know, I had called in. That is referenced in there—out of town, because I had been informed of it. And I was trying to get a meeting together. I am trying to give a flavor for what this memorandum really is. It is not pointed out. I was trying to get a meeting together with the director of DIA to try to have him hear what Mark Smith was saying. Hendon was a conduit in terms of trying to get the meeting together and the DIA did agree to a meeting at my request. And we met at—it says here 5:15. I did not recall the time, but it was 5:15 in Hendon's office.

There are two lines mentioned in here that were read by Senator Kerry. Mark Smith's response was he had names and would not provide them. Congressman Hendon made the same comment. He had names but also would not provide them.

In the meantime since this was brought up, I have had two phone calls placed to former Congressman Hendon as well as Mark Waple, who was the attorney for Mark Smith throughout this process, both of whom deny any mention of names. I was present for the entire meeting. I do not recall any reference to names regarding that. I do recall a conversation which was a side conversation, which is not mentioned in this, regarding Robert Garwood and some names that he was providing or would provide the DIA. And subsequently he did when we debriefed him.

But the important thing here, Mr. Chairman, is we have the lawyer saying that there were no names provided. Mr. Hendon said there were no names provided. And I am going to insist that all of

the participants at that meeting be deposed on this subject, and also General Shufelt in the possibility that he made a mistake. And I would just say this for the record. There was a hearing on this subject by Senator Murkowski. It was contentious. It was cantankerous. It was long. It was emotional. There was never a mention in the hearing of names.

General PERROOTS. I don't recall.

Senator SMITH. Well, I do. And I also was involved on a day-to-day basis, had agreed, much to the consternation of my wife and family, to go to Beirut, Lebanon, which was not exactly a vacation spot in 1986, along with some other individuals in the Government and in the Congress, to go and try to view the tape in order to get it if it existed. And I can tell you right now, if I thought that there were names attached with it, it would have certainly been highlighted in my mind.

And I really am going to stand toe-to-toe with you on this because it is also a little bit of a shot at my credibility, because I, because of my involvement—this was not a one meeting involvement with me. I participated in—I listened to a 45 minute telephone conversation between the Vice President of the United States and Congressman Hendon about this issue, in which the Vice President encouraged, cajoled, every word that you can possibly imagine in the strongest terms to get the tape, and to do everything that we could to get that tape, and that all assets of the Government would be provided to do that. And never was there ever a mention of names associated with that tape.

Now, that may not mean that Mark Smith may not have had names or may have said to somebody else he had names. He never said it to me. He did not say it to Waple. He did not say it to Hendon. And he did not say it at this meeting, as I recall it, nor do any of the other participants recall it.

So, I just think it is important to point that out. And also, some of those who have made comments about this publicly denied the existence of this meeting, denied the existence of the participation of the Vice President of the United States in this matter. So, I think it is important to get all of the facts on the record and I, Mr. Chairman, am going to request that all of those people in that meeting be deposed because I think it is very important.

I do not know if there was a tape. I only know what I was told by Mr. Smith, as you do. If it was a fraud, it was another cruel, horrible hoax that many of us were willing to risk our lives for. I do not know that. All I know is that all of those people involved, from the Vice President on down, I think acted properly. They tried, based on what Mr. Smith said, to secure that tape.

But it adds another dimension to it when you say that there were names provided. And Smith described in great detail—Mark Smith—what he saw, what he said he saw in the tape. But, as I say, there was never any mention of names in any of the conversations that I had with anybody on this issue, or with any of the players. I stand on that.

General PERROOTS. Senator Smith, fair, your comments are noted. I would have been remiss had I not mentioned the existence of this memorandum and my recollection of the meeting.

Senator SMITH. Absolutely.

General PERROOTS. There are five people, including our chief counsel, our L&L, and three of the most capable analysts we have. There's no reason. Now, there could be a mistake. My memory could have gone. But the memo stands as recorded, and we will be certainly glad to—

Senator McCAIN. Did you quote from that memorandum.

General PERROOTS. Memorandum documenting the meeting in which—

Senator SMITH. Is that your recollection as well?

General PERROOTS. Yes, sir.

Senator SMITH. As well as Shufelt's that names were mentioned?

General PERROOTS. Yes, sir.

Senator SMITH. Do you recall us discussing names?

General PERROOTS. I recall because we discussed it. And I had, at that time, some ongoing meetings with Billy Hendon, who—I don't mean to impugn his character, but he was not above making a statement like that. And I think you will find that he made that statement.

Senator SMITH. Well, he did not make it in that meeting as far as I am concerned, and I sat there, so I guess it is my word against your's, General.

General PERROOTS. Yes, sir.

Senator SMITH. Thank you.

Senator McCAIN. Let me just say. How many others were there with you?

General PERROOTS. Five.

Senator McCAIN. Five, thank you.

Senator SMITH. Well, Mr. Waple was there, Mr. McCain. And you were not here in the room, and he has just indicated by phone that he does not recall it, and he was Mark Smith's attorney. So, three people are saying—

The CHAIRMAN. Let me intercede here. What will happen, of course, is an investigative effort of these particular incidents will be taken a look at. I think it is important for the committee not to get sidetracked here. The tape episode did not pan out. It is a matter of history. No money was paid. No tape has ever been produced. And the committee, from its judgment, is going to sort of take into account where we are with respect to that.

Senator SMITH. Well, I might just say, Mr. Chairman, I did not bring it up. It came up from General Perroots. And I might just say it is interesting, the memorandum for the record, March 5. The subject is Mark Smith caper. It is not the tape, it is the caper. Needless to say, some conclusions were drawn prior to the investigation being completed.

Senator McCAIN. Mr. Chairman, just for the record, Mr. Perot was out \$45,000. It probably does not matter much to him, but there was money exchanged in that issue.

Senator SMITH. He put the money out because the U.S. Government refused to do it, even though the U.S. Government wanted the tape and encouraged Mr. Perot to do it. And frankly, not only encouraged him but, not in an exact sense, but in one sense hired him to do it; directed him to do it. He was willing to provide those funds. And as it turned out, it did not turn out to produce a tape.

Senator McCAIN. The fact is, he was out \$45,000.

Senator SMITH. That is correct. It is.

The CHAIRMAN. Gentlemen, let us proceed along. I think the tape episode has had a significant airing. I think the committee has a pretty good understanding of what took place with it, and I think it is important for us to move on.

Gentlemen, there are a number of areas that we are not going to go into now, simply because of the time, that we may want some additional comments on. But we will leave the record open, and I know that each of you will obviously be available to help us complete that record.

Also, Mr. Childress, we would like to pick up with you in closed session on that important issue. The offer, non-offer, or whatever, but that does need to be examined by the committee. And I take it you could be available on short order to do that?

Mr. CHILDRESS. Yes. Do you mean today?

The CHAIRMAN. Probably not today, but fairly soon.

Mr. CHILDRESS. I will be in town.

The CHAIRMAN. Thank you very much. I appreciate each of you being present. Thank you for helping us to get an understanding of this issue, and we look forward to following up with you to help us complete the record.

If I could ask for the next panel of Senator Howard Baker and Mr. Cannon, please.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God.

Mr. CANNON. Yes.

Senator BAKER. Yes.

Senator McCAIN. They want to know what you knew and when you knew it, Senator.

Senator BAKER. Not in this room.

[Laughter.]

The CHAIRMAN. Senator McCain has already underscored both the irony, but more importantly, really, our pleasure in welcoming you back here, Senator. I notice you are accompanied by counsel who has—not you, but Mr. Cannon has, I think, but he is here with you in your party. Fred Thompson, who has had no small introduction to this room.

But we are particularly grateful to you for coming back. I am very sensitive to the fact that this is the first time you have ever been asked to raise your right hand and take an oath to tell the truth. There is not any question in the committee's mind that you would not do that. But I want to express our appreciation to you for your willingness to share your thoughts with us on this, and to do it under oath.

The committee would like to make clear that the reason all the testimony is being taken under oath, even from those we know well and trust, is that we want this record to be one, at the end, that no one can say, well, you did not take so-and-so's testimony in a sworn fashion. And we want our record to be, hopefully, as incapable of impeachment as possible.

So, thank you for helping the Senate, as you have always helped the Senate, fulfill its responsibilities. We are very pleased to have you back here, although I regret it is as a witness in anything. But,

again, in keeping with your tradition of service you did not hesitate, and you are here, and we are grateful to you for that.

I can assure you, yourself, Senator Baker, and Mr. Cannon that this will not be long and it will not be difficult, but we do want to try to complete the record as to what happened in the course of the 1980's during the brief span when you had responsibilities in the White House. And to help us understand the White House's view of both Mr. Perot's efforts as well as this issue at that particular moment in time.

Senator Smith, do you have any opening remarks?

Senator SMITH. No, I do not, Mr. Chairman. I would just like to welcome Senator Baker. It has been a long time.

The CHAIRMAN. We welcome opening comments from both of you, and Senator Baker, if you would lead off.

**TESTIMONY OF HON. HOWARD BAKER, FORMER WHITE HOUSE CHIEF OF STAFF, ACCOMPANIED BY JAMES CANNON, FORMER DEPUTY TO SENATOR BAKER**

Senator BAKER. Mr. Chairman, I have no opening comments. I thank you for your remarks, and I would be pleased to answer questions.

Mr. CANNON. Nor do I have any opening comments, Senator. But I would be happy to answer your questions.

The CHAIRMAN. Thank you very much. If I could begin, let me just ask you to lead off, what you understood to be—well, first of all, Senator Baker, what period of time did you serve as Chief of Staff in the White House?

Senator BAKER. I was called by the President, by President Reagan, in late February, the last few days of February 1987, to come to Washington, without assigning a reason for it. I agreed to do that, and did. And as soon I got to the White House the President indicated to me that he needed a new Chief of Staff and wanted me to do it.

I had conjured up all sorts of reasons why I should not come back into the Government, in case he should ask me that, but all those reasons disappeared and dissipated as soon as he asked, and I immediately agreed to do it. And I am glad I did it.

I think my official service at the White House begins on March 2. Actually, I was there a few days before that. I had planned to come to work, I believe, on Monday, which I believe was March 2. But my predecessor, Don Regan, left over the weekend, and I received a call that nobody was in charge and I had to come down over the weekend, and somebody had to be in charge, so I did that. And if my memory serves me, that was on February 28 or thereabouts. Anyway, on that weekend.

And by taking charge, I really only appeared and gathered up what senior staff was present, and told them that I would be there on Monday and for them to continue with their responsibilities. So, I will leave it up to you to decide whether I came February 28 or March 2. But that is the approximate date.

I agreed with the President to serve a limited time as his Chief of Staff. I was determined to return to private life, which I did, but we had a tacit understanding that I would be there about a year.

As it turned out, I served about a year and a half. By mutual agreement of the President and I, I set the time immediately after the second summit with Mr. Gorbachev, which was the Moscow summit. That was the time for my departure. And I was then succeeded by Ken Duberstein, who had previously been my deputy, and served for about 6 months, for the remainder of the Reagan term.

But that's a thumbnail sketch of my service as Chief of Staff.

The CHAIRMAN. Thank you, Senator.

How did you first come in contact with the POW/MIA issue in your role as Chief of Staff?

Senator BAKER. Well, you know, I served here for 18 years and I was Republican leader for 8 of those 18 years, so it was not a new issue. I was exposed to it regularly from the Senate point of view, from the congressional point of view. I had no great depth of understanding of the issue nor any particular reason to, but it came up in conversation and debate on the floor and committee proceedings, so I had some general understanding of the difficulties we were having with the Vietnamese on trying to identify our MIA's or potential POW's still remaining in Vietnam.

When I arrived at the White House, however—maybe I ought to take just a minute to tell you how it operated. The Chief of Staff to the President of the United States is not a statutory position. It is by designation of the President as his most senior staff assistant. The President also has, as you and the committee know, a National Security Advisor who is head of the National Security Council. The organizational tree probably shows the National Security Advisor reporting through the Chief of Staff, but in actuality that's not the way it works. The way it works is the Chief of Staff and the National Security Advisor work as a team and each have their own particular areas of responsibility. By way of saying that, I had no direct responsibility for this issue, the POW/MIA issue.

My job was to try to get the White House operating on an even keel. March 1987 was not exactly the high point of the Reagan Presidency. And I did a lot of things. I asked Jim Cannon, who had been my chief of staff as Republican leader in the Senate, to come and help me figure out what staff was there and to recommend an organizational chart. Jim agreed to do that. He did not want to come in as an employee, so he came as a volunteer. And my job at that point then was to try to advise the President on organization, on the direction of his future policy as he prescribed it or in the organization of his staff, and to interface with the National Security Advisor, at that time Frank Carlucci, on other matters. But I was so consumed with the depth of my responsibility that I really was not exposed initially to the POW/MIA issue.

Every morning at 9 a.m. I had a meeting with the President. Every morning at 9:30 there was a meeting between the President and the National Security Advisor which I attended. And every morning at 9:30 we discussed matters of national security interest and I was essentially an observer in that context. But in those meetings I heard repeatedly the President's anguish, I guess is the best word for it, about our POW/MIA's, and I heard that often. I heard a conversation by Carlucci and Powell with the President on that issue from time to time, but once again, that was not my es-

sential responsibility. So I did not take notes and I was not deeply involved in that except as an observer.

The first time I became involved with the POW/MIA issue in a direct way was some time in March 1987. In March 1987, as my memory serves, Frank Carlucci and Colin Powell both came to my office and said that they would like to take up with the President the matter of my talking to Perot on the telephone, with respect perhaps to his involvement in Vietnam or maybe the trip. I don't remember the details. That was brought up at the 9:30 meeting that day. The President agreed, as I remember, with Carlucci and Powell that I would make that phone call.

The CHAIRMAN. Could I just interrupt you there for a moment? Had there been any prior contact between you and Mr. Perot on this subject?

Senator BAKER. No. Not that I remember. I don't recall ever having talked to Mr. Perot prior to that telephone conversation I'm about to relate.

The CHAIRMAN. When you first discussed the issue with Secretary Carlucci and—

Senator BAKER. General Powell.

The CHAIRMAN [continuing]. General Powell, at the time, was there an understanding of what Mr. Perot's role was to be or what his role was with respect to this issue and the White House?

Senator BAKER. I don't know quite how to answer that. My knowledge of it was very limited indeed. And the burden of my telephone call to Ross Perot at the President's request was based on advice given to me by Carlucci and Powell and consisted essentially of these elements: One, if you can go to Vietnam and see a live prisoner, as they apparently have suggested, then of course you should go. But if you go, you should understand that you are going as a private citizen, not as an official of this Government nor a Presidential representative. And if you go, support my choice, the President's choice, of General Vessey as my sole authority to negotiate, because Vessey is the chosen instrument, so to speak, of the administration to try to negotiate on the discover and release, if discovered, of POW's and MIA's. Those are really the essential points I made in that telephone conversation.

The CHAIRMAN. And this was the conversation between you and Ross Perot?

Senator BAKER. It was. I placed the call through the White House switch board.

The CHAIRMAN. Originally, Frank Carlucci and Colin Powell had telephoned you, though, with respect to Perot?

Senator BAKER. Well, I don't remember whether they called me or whether they came to my office. My recollection is dim, but I think they came to my office which is just a few feet away from their office, and that wasn't unusual for them to stop by my office on the way to a meeting in the Oval Office.

The CHAIRMAN. Was there a sense, Senator, then that this invitation that Ross Perot had to go to Vietnam and his potential journey, that it somehow represented a problem to be dealt with or was it an opportunity to be taken advantage of?

Senator BAKER. Well that, of course, is beyond the scope of my knowledge. I can give you my impression. This is not based on fact

or recollection, but my impression is that some way or other the President or Carlucci and Powell had ascertained that Perot intended to go to Vietnam, and that in advance of that trip they wished to lay down these markers: If you go, you're going as a private citizen, you should not go unless they perform on what apparently they represented to be an offer to show him a live POW, and when you get there, support Vessey.

My impression is that it was initiated on the recommendation of the NSC to put those points in Mr. Perot's mind before he went. But I do not know what preceded that, I don't know what conversations there had been between Powell and Carlucci, I just don't know the details.

Senator McCAIN. Mr. Chairman, could I interrupt one second?

The CHAIRMAN. Yes, go right ahead.

Senator McCAIN. I understand, I see the light, but I suggest that you continue the line of questioning that you are pursuing for the purposes of continuity and disregard the time, if that is agreeable.

The CHAIRMAN. Thank you, Senator. I will do that.

Now, did you at that time assign—let me just put this into context. The reason this is important, obviously, is we are trying to understand the context in which a number of allegations have been made to the committee. We are trying to understand what the dynamics were of the administration at the time on the issue. And obviously, we are trying to understand what, if anything, may have affected Vietnam's production of information and/or its policies with respect to our policies. And so that is the reason for the pursuit of this line of questioning.

In a memorandum which I am going to ask Mr. Cannon about in a little while, and this is a memorandum for the files which Vice President Bush personally typed based on a phone call from Ross Perot on March 21, 1987. In it—and I will just take one sentence of it for the moment, and it may be, Mr. Cannon, that you have a better recollection as to this because I believe you have already been questioned about it, but also you are familiar with it.

The Vice President, President now, said at the time: I reminded Ross that I had told him that his suggestion of a special negotiator had been approved. I told him the name of the negotiator. So I take it that Perot had actually suggested this approach but the President chose John Vessey, is that accurate?

Senator BAKER. I can't tell you, Senator. I'm not privy to that.

The CHAIRMAN. Do you recall, Mr. Cannon?

Mr. CANNON. I do not specifically, Mr. Chairman. Mr. Perot told me that he had been encouraged much earlier, long before Senator Baker and I came to the White House, he had been encouraged to look into the matter and report back to President Reagan. All I knew is what he had told me.

The CHAIRMAN. You are talking about his review of the files, I take it, at the time.

Mr. CANNON. I didn't know that much about the review of the files, just that the President asked him to look into it.

The CHAIRMAN. So at that point in time, it was your understanding that Ross Perot had his own connection to the President and to others on this issue, and you were presented with a situation where

you needed to deal with his current state of mind or interpretation with respect to the relationship with the White House.

Senator BAKER. You know, Senator, I don't mean to be evasive at all, and I'm sure you'll understand that I just didn't know anything at all except that I had been asked by Carlucci and Powell to make this phone call. And I thought enough of that and it was unusual enough so that I wanted to be very precise and careful about what I said. And it may be—I have some flickering memory—that I actually wrote down proposed notes while I was still in the Oval Office of what I was going to say. But I do remember clearly that I wanted to be very precise and that I discussed it at length with Carlucci and Powell.

08/11/91 20:05

QUU1

## O'MELVENY &amp; MYERS

400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90070  
TELEPHONE (213) 689-6000  
FACSIMILE (213) 689-6007

11111 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-6036  
TELEPHONE (310) 853-6700  
FACSIMILE (310) 853-6778

610 SUNSET SQUARE DRIVE  
NEWPORT BEACH, CALIFORNIA 92660-9000  
TELEPHONE (714) 766-0000  
FACSIMILE (714) 689-0900

CHICAGO CENTER  
80 EAST 50TH STREET  
NEW YORK, NEW YORK 10022-6048  
TELEPHONE (212) 326-6000  
FACSIMILE (212) 326-6001

WRITER'S DIRECT DIAL NUMBER  
(202) 383-5388

550 15TH STREET, N.W.  
WASHINGTON, D. C. 20004-1009

TELEPHONE (202) 383-3300  
TELEX 256221 FACSIMILE (202) 383-3444

August  
7th  
1992

EMBARCADERO CENTER WEST  
375 BATTERY STREET  
SAN FRANCISCO, CALIFORNIA 94104-0009  
TELEPHONE (415) 398-5700  
FACSIMILE (415) 398-5701

10 FINCHLEY SQUARE  
LONDON SW1A 1LA  
TELEPHONE (071) 254-0401  
FACSIMILE (071) 254-0402

AMERIKAN TOWER TOWER, EAST 10TH FLOOR  
347ER AMERIKAN, PHOENIX AZ  
TELEPHONE (602) 257-7800  
FACSIMILE (602) 257-7778

AMERIKAN LOUISIANA 106  
1060 BRUSSELS  
TELEPHONE (504) 547-0600  
FACSIMILE (504) 547-0722

OUR FILE NUMBER  
042,453-002

J. William Codinha, Esquire  
Chief Counsel  
Senate Select Committee for  
POW/MIA Affairs  
705 Hart Senate Office Building  
Washington, D.C. 20510

Dear Mr. Codinha:

During the August 5th deposition by the Senate Select Committee for POW/MIA Affairs of Senator Howard H. Baker, Jr., you requested a copy of the handwritten talking points which Senator Baker prepared and used in connection with his March 19th telephone call with Mr. H. Ross Perot. As we discussed at that time, Senator Baker felt that he required the authorization of the White House to provide copies of such talking points.

I was advised this afternoon by Mr. Mark Paoletta, Assistant Counsel to the President, that the White House does not object to Senator Baker's providing the attached copies of the handwritten talking points. Also enclosed for the convenience of the Committee is a typewritten version of the talking points prepared by the undersigned.

Sincerely,

  
Arthur B. Culvahouse, Jr.

Enclosures

cc: The Honorable Howard H. Baker, Jr.  
Mark R. A. Paoletta, Esquire

Typewritten Version of Howard H. Baker, Jr.  
March 19, 1987 Talking Points

Ross -

I've just come from a meeting with the Pres. & V.P. about the POW-MIA situation. The President feels that if you can go to Vietnam unofficially and as a private citizen on the condition outlined, that is to say that you will go only if they show you live POW then he certainly thinks you should go, and he will be eager to hear from you on the result. You should know that we are involved in efforts to arrange a trip by Gen. Vessey and they should not have the impression that your unofficial trip is a substitute for Vessey's [indecipherable] official trip.

Wishes you well, sends his prayers. On return turn everything over to Carlucci, Vessey.

Ross

I've just come from a meeting with Jim Cannon about

the POW-MIA situation. The

President feels that if you

can go to Vietnam unopposed

and in a private capacity on the

conditions outlined, that is

to say that you would go only

if they show you Jim's POW

then he certainly thinks

you should go, and he will

be happy to hear from you

on the result. You should know

that we are involved in efforts

to arrange a trip by Sen. Navy

and they should not have the

impression that you are going

They is a substitute for

Navy's official trip.

whether you need

see to his proper conduct

on Return there are anything to Navy

Senator BAKER. But I must tell you, I simply do not know the background. I do not know really what the Vice President knew before I got there, the President knew, what contacts had been made, what Perot said, and before that phone call I don't think I ever talked to Ross Perot in my life.

The CHAIRMAN. Now, did Mr. Cannon make any reports about Mr. Perot's activities to either Secretary Carlucci or to General Powell, to your knowledge?

Senator BAKER. Are you asking me that?

The CHAIRMAN. Yes, sir.

Senator BAKER. I would yield to Jim Cannon for that.

Mr. CANNON. In a general sense, Mr. Chairman, Senator Baker handed me the problem, and there was a lot—there were a lot of other problems at that point.

The CHAIRMAN. What was the problem? Define it to me. You have called it a problem.

Mr. CANNON. The problem to me was that, as I recall, Senator Baker said, and he did know that I knew Mr. Perot for some 15 years at that point, he asked me to take this problem and see what I could do with it, that Mr. Perot had some sense that he could help find prisoners of war in Vietnam, that he had been encouraged by the President and the Vice President to be involved in this, and that something had happened to make him unhappy about the situation, as though he were not either receiving recognition or authority and that I should look into it, talk to Mr. Perot, see what the problem was, and see if I could work it out.

Senator BAKER. I think I can shed a little light on that, Mr. Chairman. I think Jim will probably recall this, but we'll see.

Shortly after I made that phone call, maybe the next day, to Ross Perot, the Vice President stopped me, as I remember in the corridor between our offices, and said Perot had called him, that he didn't like the idea that I called him instead of the Vice President calling him. It was after that, I guess, that I talked to Cannon about it because I knew Jim knew Perot and I did not know Perot.

I think Cannon's words that I handed it to him, handed it off to him, is apt, because it was not a formal assignment. He was not an employee of the U.S. Government. I don't remember what I said, but my guess is that I said Jim, look into this, you know the man and I don't, and see what's going on. But I don't recall that and I do not offer that as testimony before this committee except as speculation.

The CHAIRMAN. Well, I would like to understand. Was there a sense at that point in time that Ross Perot's efforts were somehow interfering with the track that the White House perceived it was on?

Senator BAKER. Senator Kerry, I must tell you, I cannot answer that question for you. I supposed that's the implication of what I've already told you. It is perhaps the fair intendment of the request from Carlucci and Powell to me to make this phone call and make these points, and the President's concurrence in that recommendation. But my mind, my experience, my knowledge on this subject, is zero prior to the request to make it, as far as I recall.

The CHAIRMAN. OK. Ross Perot did go to Vietnam.

Senator BAKER. He did, but I didn't know that until later.

The CHAIRMAN. What time did you come to learn it?

Senator BAKER. Well, my memory's vague about that, too. After the March phone call, Cannon arranged a dinner at the Madison Hotel with me and with Ross Perot, and I do not remember that I was told at that meeting that he had already been to Vietnam, but it doesn't make sense unless I was because there was a lot of stuff discussed that clearly implied that he'd been there. So I assume that he did tell me that at the time.

The CHAIRMAN. Mr. Cannon, did you have a different or a similar recollection with respect to Mr. Perot's mission to Vietnam?

Mr. CANNON. Yes, Mr. Chairman, I did. I think it was only a day or two after I had entered the picture, I had a general sense of it from Mr. Perot's point of view because I had talked to him and he had told me in summary that he knew live prisoners were there and he believed that he could get them out, but that the bureaucracy was trying to impede him. And subsequent to that or the next day I talked to General Powell to get the administration's side of it, and General Powell gave me a summary briefing of all the efforts that had gone over, been going on over the years, to try to find prisoners, and if so, if they found them, get them out.

The CHAIRMAN. At that point in time, did you have an opinion yourself regarding the likelihood that people were alive in Vietnam?

Mr. CANNON. I did not have any information whatsoever about that.

The CHAIRMAN. When Ross Perot told you he thought he could bring live prisoners out, what was your reaction?

Mr. CANNON. My reaction was that I was skeptical, Mr. Chairman, but if there were a slight possibility that there was one prisoner alive in Vietnam, we ought to do our damndest to get him out.

The CHAIRMAN. Did you inquire of General Powell whether or not he believed or had any intelligence that suggested that someone was alive in Vietnam?

Mr. CANNON. I don't remember asking him that question specifically.

The CHAIRMAN. Did either of you engage in any analysis within the White House at that time of the Perot allegations about live people?

Senator BAKER. I did not, Mr. Chairman.

Mr. CANNON. I did not, Mr. Chairman. Let me add also that since I was a volunteer I could not see classified information, so that was something that was out of my reach.

The CHAIRMAN. So, Mr. Cannon, did you then help make arrangements for Ross Perot to go?

Mr. CANNON. No. No. Mr. Chairman, the sequence of events as I remember them is that on a Saturday morning, I believe it was the March 21, I was in the office that morning and either by phone or in person had a conversation with General Powell, who said in sum, the next time you talk to Mr. Perot, see if he will use his influence—he had told me that he was talking with Vietnamese representatives, I believe in New York, though he did not say their names. General Powell asked me to ask Mr. Perot if he would use

his influence to encourage the Vietnamese to accept General Vessey as the senior U.S. representative to go into Vietnam.

Later that afternoon, Mr. Perot called me, I believe at home, and we had I believe the most extended discussion of his concern in which he went into some length of his efforts over the years and his frustration at the bureaucracy not giving him more assistance.

An hour or so later, sometime that evening, he called me again, apparently, according to notes that I made at the time, and I then talked to him about General Vessey, the importance of getting General Vessey in, and at the end of the conversation he told me that he was going in on his own and in his private status.

The CHAIRMAN. Now, is this—referencing the documents here, I think you have provided us with a summary of your notes for your call, is that correct? For your call to Ross Perot on March 21, 1987?

Mr. CANNON. I did provide that document, Mr. Chairman, if I may have a minute to find it.

The CHAIRMAN. While you are looking, let me just read for a minute. The fifth paragraph, it says: It has not been going well with those in Hanoi and our emissaries have not been in contact with anyone who will commit to a visit by a high-level U.S. citizen.

Mr. CANNON. Excuse me, Mr. Chairman.

The CHAIRMAN. Take your time. Take your time.

Mr. CANNON. How does the document begin? Does it have a date?

The CHAIRMAN. Yes. March 21, 1987. We should have had them numbered. I apologize. It is about half-way through the document packet. Talking points for call to Ross Perot. It is the final half-page.

Mr. CANNON. Oh, yes. Saturday, March 21, 1987, talking points for telephone call to Ross Perot.

The CHAIRMAN. Yes, sir.

Mr. CANNON. From Colin Powell. Yes, sir. I do have that document.

The CHAIRMAN. The fifth paragraph suggests that things were not going well with Hanoi. The reason, again, I ask this is that Perot has suggested that in fact his visit was helpful. And there is some question about where we were in our contacts with Hanoi and our ability to achieve anything then. In your summary, you say it has not been going well with those in Hanoi, and our emissaries have not been in contact with anyone who will commit to a visit by a high-level U.S. citizen.

Mr. CANNON. I'm sorry, Mr. Chairman. I must be looking at another document because I don't find that in my fifth paragraph.

The CHAIRMAN. Let me provide you here.

Was this simply an effort to dissuade him from going?

Mr. CANNON. Not on my part.

The CHAIRMAN. Were you instructed to try to dissuade him from going? I mean, this basically suggests that you folks did not want him to go.

Mr. CANNON. Was I—I'm sorry. Was I?

The CHAIRMAN. Instructed to try to dissuade him?

Mr. CANNON. Dissuade him? No, I had no instructions on that point, Mr. Chairman. It had never come up, and frankly, until he told me he was going, it never occurred to me, not seriously anyway, that he might go on his own.

The CHAIRMAN. Well, the second to last paragraph says: In fact, right now the best interests of the U.S. Government might be served if you were not to go to Hanoi at this time.

Mr. CANNON. Mr. Chairman, I am terribly sorry. I cannot find that in this page. I see mem con, Ross Perot, continued page 2.

The CHAIRMAN. No, this is a—the headline is talking points.

Mr. CANNON. I have talking points for a telephone call for Ross Perot, 3/21/87.

The CHAIRMAN. That is correct. And there are 1, 2, 3, 4, 5, 6, 7, 8, 9 bullets with little circles in front of them, it is a half-page. You do not have that?

Mr. CANNON. No, sir. I do not have that one.

The CHAIRMAN. I tell you what, we have a vote on right now. Why do not staff make sure you have each of these documents properly in front of you, we will just take a momentary recess while we vote and we will come back to order. Thank you very much for your patience, I appreciate it. I think we can move through this fairly rapidly. Now that we are situated in the documents here I think we can begin to pull this together a little bit, and I do not want to prolong something that does not have to be prolonged.

You now identify those notes as in fact being Craig Fuller's notes, is that correct?

Mr. CANNON. Correct.

The CHAIRMAN. Craig Fuller's recommendations to you.

Mr. CANNON. That is correct.

The CHAIRMAN. They are your notes taken on a call you had with Craig Fuller.

Mr. CANNON. They were points that Craig Fuller gave to me.

The CHAIRMAN. Gave you to talk to Perot on.

Mr. CANNON. Suggesting talking points for the next conversation I might have with Mr. Perot.

The CHAIRMAN. So does that now suggest to you that in fact Craig Fuller, on the part of the President and Vice President, wanted you to articulate that they did not think it was the best interests of the United States for Ross Perot to go to Hanoi?

Mr. CANNON. It does indicate that, Mr. Chairman. I should add that I—

The CHAIRMAN. Does that refresh your recollection at all as to any concerns the White House had expressed or that you all had talked about with respect to Mr. Perot's visit?

Mr. CANNON. I don't believe that I had talked about it. In fact, except for that, I had not thought there was the prospect that Mr. Perot would go unless he went as the President's representative. Because that was the essence of his conversation to me that he thought he should be designated to go.

The CHAIRMAN. Is it fair to say that at that point in time the White House was giving a mixed message to Ross Perot, that he was getting a sense from the President that gee, it is OK, and the Vice President, to be involved, but on the other hand the NSC and others were very concerned about his potential visit?

Mr. CANNON. That's more than I know about it, Mr. Chairman. Internally, for myself, I was talking with several people. I had some contact with Craig Fuller. But my principal person I talked

with was General Powell. And I was listening to his articulation of the recommendations and at the same time trying to form my own judgment. Because it was essentially my view, Mr. Chairman, that there was no lack of interest on the part of either side, either Mr. Perot or certainly people in the White House as to the interest in the matter. My feeling was the question of which way do we go, who is going to have the responsibility, who is going to take it on as a prime assignment.

My feeling in the middle, so to speak, of this was that instead of working in competition we ought to work in parallel, that Mr. Perot could be helpful and that he might actually advance the Government's operation, the Government's effort to find people and get them out.

The CHAIRMAN. You presented us with some documents, among which is this personally typed Vice Presidential memorandum to files typed by Vice President Bush, in which he says, reading from it: A frustrated Ross Perot called me. He requested the name of the Vietnam politburo member that the U.S. Government was negotiating with in order to get the Vietnamese to accept the Vessey role as mediator. Ross detailed a litany of gripes. He never got the green light on his advance trip to Vietnam. Note, this is the first I have ever heard that he requested such a green light, closed paren, I sent the advance people in anyway, and so forth. Referring to Ross: He is upset because the Government's top two people got me into this, i.e., Ronald Reagan and George Bush. In fact, he has a little rr and gb in parenthesis there.

I believe he is sort of quoting Perot. I could never get an answer or anything. He says, I tried through Carlucci. Carlucci says will you get off Armitage's back if we appoint a negotiator. I reminded Ross that I had told him that his suggestion of a special negotiator had been approved. I told him the name of the negotiator, so forth. Ross, who heretofore repeatedly told me and Fuller that he would not go to Vietnam unless he was told that he would see live POW's, then stated that his people were now telling him it might take two or three trips to achieve this end.

Now, first of all, could I ask you how is it that you presented us with this document? Was this something you kept in your files or that you have been given recently?

Mr. CANNON. This was something that I found in my files, Mr. Chairman, after I was notified that I might be asked to contribute whatever I might know about these happenings at this time.

The CHAIRMAN. Well, there is some evidence to suggest, at least some evidence in front of the committee, to suggest that the National Security Council was in some disarray with respect to their communications with the Vietnamese and ability to move the process forward. You, in your talking points from Craig Fuller, allude to that where it says that our people are having trouble getting into Hanoi. Ross Perot alludes to that, in fact, saying that you could not get there and he was the one who got in. I am trying to determine whether in fact that is true, that the NSC at that time was kind of in gridlock or in dissension on this Ross Perot visit.

Mr. CANNON. I did not perceive that, Mr. Chairman. I do not believe that I talked to anyone in the NSC at that time but General

Powell. But in terms of his candor with me and mine with him, I saw no confusion in the ranks on what they should do.

The CHAIRMAN. So you personally saw no problem in Ross Perot going down this track?

Mr. CANNON. This track means?

The CHAIRMAN. Going to Vietnam.

Mr. CANNON. No, I simply did not know that, Mr. Chairman. I thought there was a serious possibility that Mr. Perot, through his Vietnamese contacts, might assist the Government's operation in getting General Vessey or someone, some other team, into Vietnam to move these proceedings along.

The CHAIRMAN. Well, Mr. Cannon, do you see my confusion here? On the one hand we have Craig Fuller telling you that you should advise Ross Perot not to go. Not in the best interests of the United States. But on the other hand you have Ross Perot saying the NSC could not get in there, and you had no way of getting the Vessey appointment confirmed with the Vietnamese because they were not talking to anybody. They were not receiving anybody.

Senator BAKER. Mr. Chairman, I can maybe say a word about that. Once again, may I say this is speculation on my part, but it is based on my impressions. I do not think there is any confusion there. I think that the long and short of it is that Ross was a dedicated patriotic American who really believed that there were POW's and MIA's over there and thought he ought to be the negotiator. And the NSC and the President thought that Vessey ought to be the negotiator.

They had a difference on approach. The approach was, as far as I understand it, that Perot thought that perhaps if you did a few symbolic things like let the piano player tour and General Giap lecture the War College that it might produce a result. And the NSC and the President's position was if we are going to negotiate at all they have got to first make an accounting of our POW's and MIA's. It's an honest difference of opinion between patriotic men and women. But I don't see any confusion.

I think the difficulty that some of us saw was that perhaps that the Vietnamese might be confused, not that we'd be confused, and that if you had Perot and Vessey both working on it they might play them off against each other and wait for the highest bid. Now, that's my overall impression, and honestly, the impression is formed as much after the fact as it was before the fact. But I was there a long time and I know the people involved, and that is my general impression.

The CHAIRMAN. Well, I might add that the self-typed mem con of the Vice President with his conversation with Ross Perot seems to support the notion that Perot might have anticipated being the negotiator. Because it says, quote, in the Friday meeting at the UN my guys brought up Vessey as negotiator. This is the conversation with Perot. The Vice President quoting Perot as saying: I am glad to have Vessey substitute for me. I am very high on Vessey, as I have told you.

He is then quoted as saying: I suppose Craig told you that I am severing all ties with the Reagan administration. Did he mention the Reagan Library? The Vice President goes on to say I assured Ross that indeed Craig had filled me in.

Ross again repeated his concern about going as a private citizen. They would like to grab me as the ultimate hostage, quote. With no Government sponsorship he felt he would be fair game for kidnaping. Quote: All I ask is the name of the guy in the politburo. Howard Baker told me someone was over there right now negotiation. Parenthesis, some speculation it might be Childress.

So I take it that Ross Perot, apparently in the same conversation as discussing Vessey substituting for him, is discussing severing all ties with the Reagan administration and something about the Reagan Library. Are you familiar with that?

Senator BAKER. It certainly sounds that way. I am familiar with another development in that respect, but not about that. If you want me to go into that now, I'll be happy to do that.

The CHAIRMAN. Be delighted.

Senator BAKER. Later on, there was a request, I think through the NSC by Perot, to see the President and to bring Judge Clark, Bill Clark, with him, and maybe the First Lady, Nancy Reagan. And that came across my desk and I said no, we're not going to do that. Clark is chairman of the Reagan Library Foundation, and we're not going to mix that up in anything. I put the kibosh on that. I told them they could not do that. And I called Bill Clark and told him that I had denied the request for him and the First Lady to meet with Perot, if and when we set up a meeting with the President.

The President never, ever, intended this or anything else to mix fundraising for the Reagan Library with policy, by direction or implication. And it was in furtherance of that policy that I told Clark he could not come.

The CHAIRMAN. Mr. Cannon, can you help me understand, turning to two documents—this is a 3/21/87 memo at 3:40 p.m., tel con with Colin Powell.

Mr. CANNON. Yes, sir. I have it.

The CHAIRMAN. The first sentence, he has heard that Ross is making calls again. Are you with me? Same document?

Mr. CANNON. Yes.

The CHAIRMAN. OK. Turning down to the third from the last bullet, this is a bullet that greatly concerns me. Is this your memo?

Mr. CANNON. No, sir. This is not my memo. This is Craig Fuller's memo.

The CHAIRMAN. You are familiar with it, though?

Mr. CANNON. I am.

The CHAIRMAN. In what context are you familiar with it?

Mr. CANNON. I am familiar with it because it was given me at the time, and it was one of several pieces of guidance that I was given as how I might deal with Mr. Perot and what I might say to him.

The CHAIRMAN. Did you have occasion to talk with Craig Fuller about these talking points?

Mr. CANNON. I do not remember that I did, and the cover note suggests that he sent them over to me and said he would be home that night if he could be of any help. I do not recall talking with him.

The CHAIRMAN. So this is Craig Fuller's tel con with Colin Powell.

Mr. CANNON. Right. Right.

The CHAIRMAN. Well, we should probably talk to Craig Fuller about it, but maybe you can help us understand. Let me quote the paragraph: We still believe that it is not wise for Ross to go. After 14 years, they have denied live Americans. If they were to produce live people, can you imagine what will be asked for?

Now, that is to me a remarkable reason not to have Ross Perot go.

Mr. CANNON. I simply don't know the answer to that, Mr. Chairman, because this was a conversation between Mr. Fuller and Mr. Powell.

The CHAIRMAN. But you would agree with me that it reads almost as if you do not want to find live people because of the consequence of what might go with it.

Mr. CANNON. I can see your point, Mr. Chairman, but I did not read it that way.

The CHAIRMAN. You have no understanding, then of what—the reason I asked you about this is this is in the packet that you gave us.

Mr. CANNON. I understand.

The CHAIRMAN. So I wanted to understand if you had any further understanding of this or any other contact with it, any other communication with either of the participants in it?

Senator BAKER. Mr. Chairman, could I say a word on that?

The CHAIRMAN. Absolutely, Senator Baker.

Senator BAKER. I have no personal knowledge of the mem con. But I know first hand that President Reagan was dedicated, painfully dedicated, to pursuing any lead that he could find on POW's and MIA's in Vietnam. I know that Frank Carlucci and Colin Powell spent a great deal of time on this subject and that I came to have great confidence in their judgment. I cannot imagine that there is any reluctance to find POW's and MIA's in Vietnam for any purpose that would be consistent with what I've just said.

The CHAIRMAN. It would be my absolute assumption, and I would not want to think otherwise, obviously, when a sentence like that appears in a memo it feeds the notions of people's worst suspicions about this issue, is all I am suggesting. And I think I would like—I am sure there is a clarification of it. I was just hoping we could try to get it now.

Senator McCAIN. Could I say I agree with the chairman's point. But I also think that Senator Baker's point is reinforced by the fact that the President approved of a military operation into Laos in 1981, which I think is certainly significant evidence of his commitment to trying to resolve the issue.

The CHAIRMAN. I can understand that. It may well be that this is said in the context only of Ross Perot visiting, that if Ross Perot turned something up what would they ask of Ross Perot. I mean there are a number of contexts, so I do not want to leave it hanging out there in a wrong context. But I was just wondering if you could help us understand that context.

Mr. CANNON. I had not focused to that extent on it until you mentioned it, Mr. Chairman, but it was then, there was no question in my mind, the strongest feeling that everyone in the White House—I had not talked to the President about it but I had heard

from Senator Baker and I knew from Craig Fuller and I may have talked with the Vice President, I am not sure, but I had seen his memos and I felt strongly that Colin Powell, that all involved in the White House would do anything and everything prudent and reasonable to find out if there were prisoners of war in Vietnam, and if so, do whatever we could to get them out.

The CHAIRMAN. Let me ask you, this will be a sort of last question for me, but I want to try to—one of the principal reasons for asking both of you gentlemen to be here today is to try understand the dynamics that were in the White House then and what the realities were of the Perot trip versus the realities of the administration policy. Perot alleges there was no policy. On the contrary, yesterday he agreed that the policy was not to give them anything, so the policy was not his policy but it was a policy.

Now, it appears, through the testimony of General Powell in his deposition, that there was, in fact, confusion, and that ultimately that had to be cleared up, which is why Ross Perot met with the President. The President basically said to Ross Perot, you have been terrific, we appreciate your participation, but we are going to handle it from here, thank you. And what led to that, and I want the record to try to be clear on that and need your help to understand it, is that as General Powell said, and this is a question from his deposition that was asked of him, once the officials in the administration began being concerned that Mr. Perot's policies and the administration policies were different, which officials were concerned about that. How high up did it go?

General Powell's answer: We became concerned in the NSC that we had a situation that was becoming difficult, if not intolerable. We could not keep this thing going, and particularly when he has on his own volition gone to Vietnam and how he represented himself once he got there. I am sure he probably gave the impression to the Vietnamese that he was acting in some official capacity. And so he then returns and he has a report that he wishes to give to the President and he wishes to see the President on this matter and is persistent in his desire to see the President.

This all comes together to suggest that we have got to clean this up once and for all, and we cannot allow this dual-track confusion to exist any longer.

Senator BAKER. Mr. Chairman, it is clear from your reading General Powell's deposition and from your summary on yesterday of the situation which I read in the newspaper, that indeed there was confusion but it was confusion by the Vietnamese. There was no confusion that I'm aware of within the White House administration. But it is obvious, I think, that if Perot had one set of ideas about how to settle the issue and the administration had another that the Vietnamese are going to go to the highest bidder. It might prolong the negotiations or, in fact, defeat them.

But once again, I think Ross Perot is a patriotic man who was really dedicated to trying to get them back and that he did more than the private citizen would be expected ever to do. He is a man of great resources, great intellect, and great patriotism. But the fact of the matter is he and the President had two different views of how best to get these people back, and the President is the President and finally you have to decide that. And that is what hap-

pened in the meeting that we arranged for the President to see Perot.

The CHAIRMAN. I might add that that is confirmed in the last question I asked of General Powell. The question was: The rationale for that was so the Vietnamese—i.e., the rationale for the meeting with Perot to tell him thank you was so the Vietnamese would not get a mixed signal and they could not pick and choose between the administration. And the answer of General Powell was everybody had a mixed signal. I mean, the whole thing was mixed up at that point. I assume everybody in Washington was curious as to who was doing what to whom, and it was also necessary that the President's emissary go without any other emissaries, Presidential or real or apparent or otherwise being around.

If you do that to somebody you are in negotiations with, you are giving them an opportunity to play people off. It was time to bring these proceedings to a close and let it be clear to the Vietnamese that General Vessey is our emissary, our emissary, he is speaking in the name of the administration, and the President is carrying that charter and Mr. Perot is not.

Do you concur with that?

Senator BAKER. It's a gratuitous remark for me to make, but I can't resist making it when I say that uncertainty about who was doing what to whom was not just in the foreign policy field. And when I got to the White House in March 1987, the first thing that I tasked the staff to do was to write a plan, a detailed plan, every day of the President's activities for 60 days and I asked the President to sign off. Because there was an impression abroad that things were loose from their moorings, and we had to change that. And obviously, that was an impression as well in the field of foreign policy that had to be brought to a head, as well, and that's exactly what Powell and Carlucci were recommending.

By the way, I have never known two greater public servants than Carlucci and Powell, and I think both of them are great. I think Colin Powell is a real national treasure. Frank Carlucci was a great Secretary of Defense, as well, but I have served with both of them and I confess to prejudice, but I think they were both extraordinary public servants.

The CHAIRMAN. Well, I think the committee will agree to that one, no question about it.

Just a final question if I can, Mr. Cannon, because I want the record to be fair and clear also with respect to Mr. Perot. While the White House felt that Mr. Perot was getting in the way, in terms of sending a mixed signal, it is fair, is it not, to say that he accomplished something in his visit that did allow the process to go forward, and I specifically refer to your memorandum to Senator Baker of April 12, 1987, in which you suggest some of the confusion in the first paragraph, but then say the following:

What is most important now is the broader issue, at this point in the broader issue, is that NSC or Defense concluded that General Vessey should go to Hanoi as senior negotiator. Perot has cleared the way for General Vessey's acceptance by the Vietnamese. So I recommend the following: You issue a press release, acknowledge that Perot has studied the issue and made a recommendation for the appointment of a senior negotiator, you have accepted the

Perot recommendation. And then you say to do so may cost something in personal sensitivities, acknowledging in an honest way, I think, what was happening here, but then suggesting it is the most expeditious way to get going.

So I think it helps us to sort of understand and bring this thing full circle, that there is an appropriate acknowledgement that notwithstanding the reluctance to have Perot go, he did wind up getting Vessey accepted, and subsequent to that Vessey and the process got going, is that fair?

Mr. CANNON. I think it is fair.

The CHAIRMAN. OK. Do you have anything to add to that, Senator Baker?

Senator BAKER. I don't think so, Mr. Chairman.

The CHAIRMAN. Senator Smith?

Senator SMITH. Senator Baker, I have reviewed your deposition, as well as that of Mr. Cannon, and I think you have been very candid in sharing what you have in terms of knowledge on this, which we are very grateful for, and I really do not have any questions for either of you. In the interests of time, I will be more than happy to yield to Senator McCain or back to the chair or whoever may have another question. But I do want to thank you for your candor and I share what you said regarding Carlucci and Powell, as well. I will put that on the record. They are two great men.

Senator MCCAIN. Senator Baker, I certainly welcome you and Mr. Cannon, and I express again my dismay at having to see sworn testimony, men of your character and integrity, and I understand why the committee has taken that policy. It is just unpleasant for me to have to see it. I say that personally, understanding committee's policy.

Senator Baker, I would suggest that if anybody knows about conspiracies, that it is you, sir. And I would just wonder if you had any personal views about the possibility of a conspiracy that I think would have had to have led if not to your level as the Chief of Staff, but certainly to the next level down in order to be successful. I think there is a possibility that that kind of thing could have been orchestrated concerning the POW/MIA issue.

Senator BAKER. Senator McCain, I think it would be utterly impossible for that to have occurred during the time I was there, not because I was there but because I daily saw the President and talked to him at length, saw first hand his concern about this issue. I talked daily to Carlucci, I talked to Powell every day, I talked to Schultz, I talked to Weinberger regularly, that was the top layer of the Government at the time. And you could not have had a conspiracy without involving these people, and if I have any ability to judge human nature at all, it's that these people are gravely concerned about this issue and they were trying to rationalize a policy to maximize our chance of discovering the truth, of getting people home if there were people there.

I cannot think of a single thing that suggests to me that there was a conspiracy of silence or an active conspiracy or any other kind of conspiracy. Now, I can only speak on the time I was there, but I say that with great conviction for the time I was there.

Senator MCCAIN. And also, Senator Baker, in your capacity as the Majority Leader in your very early involvement dating back to

the late sixties and involvement with the POW/MIA issue and your knowledge of, although not, certainly, intimate workings with the foreign policies of this country and that of other Governments, I think again it is well to point out, and if you would agree or disagree, the reality is until basically the Cold War began to end and the Soviet empire began to unravel, there was not a willingness on the part of the Vietnamese Government to be forthcoming and assist us in resolving this issue.

We hear, time after time, about our Government did not do this and our Government did not do that and our Government may have conspired, some of which may be true. There was a lack of attention to the issue, they would debunk live sightings, et cetera. The fact is during all those years, the Vietnamese Government could have resolved the issue that quickly because they had the information. They know whether Americans are alive or dead, and if so, if they are alive, which I continue to assume, where they are and how to get them back to the United States.

Senator BAKER. Senator, let me say that I've thought about that, both prior to the White House experience and later. I have a hunch, and it is just that, maybe the Vietnamese don't know either. Maybe they have confusion in their government. But, you know, the long and short of it is the war is over. And the Vietnamese need to understand that. It took us a long time in this country to realize the war was over, but I think we have done that and I think our scars are mostly healed. But I would not be surprised if theirs are still sort of open. And it may be they don't have total cooperation from their own officials or their own people.

So I really think that our end result ought to be to try to end the war, normalize a relationship between this country and Vietnam, but I don't think that we dare do that till we have exhausted every possibility of finding out if there are still live American prisoners or, for that matter, retrieving their remains if they are dead. We just can't do that. And it disserves the people of Vietnam and it disserves this country for them to hold out, as you say. And if they do have division within their own ranks in Vietnam, I sure hope that they will cure that and give us a chance to get on with the business at hand.

But in addition to the ultimate importance of finding out about our missing people, there is another importance, and that is trying to end the war and normalize relations between the United States and that country. So I don't know any reason why the Vietnamese don't cooperate fully. I don't know any reason why we don't continue to hold out every opportunity for them to do that, but I would not put the cart before the horse. I would not give them the goodie before I got the reward, before I found out what they know.

So I hope the Vietnamese, and you know, maybe CNN runs in Vietnam, but I would hope somebody in Vietnam would say, look, we're—there's an old Tennessee expression, you're cutting your nose off to spite your face. And what I mean by that and what that saying says is that they are doing things that hurt them a lot more than it hurts us. And I would hope that they would buckle down and convince us that there aren't any or tell us if there are or give us the assurance that we know all there is to know.

Senator McCain. Thank you very much. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator McCain. Senator Baker, I will just wrap up very quickly here. The letter that was written to you from Michael Deaver on 3/18/87, do you have that in front of you? Are you familiar with the letter?

Senator BAKER. I don't have it.

The CHAIRMAN. Have you had a chance to review it?

Senator BAKER. I am familiar with it, yes.

The CHAIRMAN. In that letter, Michael Deaver suggests in his last paragraph on the first page, he says that the heart of the problem according to my visitors—he was writing in response to people who came to visit him—is a standoff between our Nation and the Laotians and the Vietnamese. We refuse to negotiate with them until all missing Americans are accounted for, a policy that perversely prevents negotiations concerning the release of Americans held prisoner.

He goes on to suggest a prominent American to be appointed to carry on the task of helping resolve this issue. And this is on March 18, 3 days before all the negotiations with Ross Perot and so forth. The logical candidate was former President Richard Nixon, and so forth. Was General Vessey meant to sort of fill the role that is defined in that letter in his appointment, or was it decided that there would be sort of a first tier effort at a slightly lower level and then see where things go. I mean, I just wondered what the evolution was.

Senator BAKER. I really can't tell you, Mr. Chairman. I remember the letter. I remember being surprised that it came to me instead of to the NSC. But then I remember that Mike Deaver and I have been friends for a long time, even before President Reagan was elected.

I don't remember that I turned it over to Powell or Carlucci, but almost certainly I would. Anything that came across my desk that involved them, invariably, I sent it to them.

Whether Vessey was the fulfillment of the Deaver recommendation in lieu of Nixon, I cannot tell you. I really just don't know. I'm sorry.

The CHAIRMAN. You have no recollection that you could share with the committee then about—well, let me strike that and ask it this way: Looking at this issue as you have, both as a member of this institution and also in the White House and just reading about it as a citizen and so forth, could you share with us any thoughts about where we find ourselves today, where the committee finds itself, where the country finds itself, and how you might measure our current policy against the need to try to resolve this quickly? Is there advice you would give us? Is there a sense that you might have of ways in which this might be tackled that we have not thought of?

Senator BAKER. You're right. I have been a lucky man in a lot of ways, Senator. I really have been all my life. But one of the great pieces of good luck was that I had a chance to see this Government up close and intimate from both a congressional standpoint and the White House. And believe me, it looks very different from each end

of Pennsylvania Avenue. But I don't have any particular advice for you.

I want to fully support what you are doing. The Congress has just two real constitutional duties. There are others but they're collateral. There are only two, really. One is to legislate and the other is to oversee the faithful performance of policy by the executive department. Sometimes, there is a tendency, I think, I observe, maybe even I am guilty of, when you are in Congress, try to want to substitute your judgment for the President's judgment, sort of be President. And when you are President, I can promise you, there is a tendency to believe that those folks don't know what they are doing and if they would just let us have our way everything would be great. Maybe it's the genius of the system that those two mind sets exist and you have to work them out.

But in the final analysis you have two duties here on the Hill. One is to legislate according to your best judgment, to set policy, and the other is to require diligently, regularly, and persistently, the faithful performance of that policy by the executive department. So when you asked me to testify I was not at all reluctant to do so. I appreciate what my friend John McCain said about taking the oath, but I have no reservation about that. You are in the fulfillment of a fundamental responsibility of this branch. And I have done a lot of things in my life, but the highest position I have ever attained, the greatest public reward I ever attained, was to be a Senator. So I am happy to be here to cooperate.

— The CHAIRMAN. Well, thank you very much.

Additional questions?

[No response.]

The CHAIRMAN. I really want to thank you on behalf of the committee. I hope that it will not be necessary to come back to you with any followup questions. As I said to you, we would try to keep this as tight and truncated as possible. I think we really got to the heart of what we needed to understand with respect to the policy of Mr. Perot. It may be that on a couple of details we may need to get back to both of you. And obviously, we would appreciate your cooperation further in that regard.

You mentioned both General Powell and Secretary Carlucci as great public servants. I think we all feel that way about you, and a lot of us grew up watching your example here and appreciate enormously your continued cooperation and friendship to the effort here. So thank you for being with us today. You have also shared that tradition of public service.

We will adjourn these hearings until September, at which time we will continue with the Paris Peace talks. And subsequently, we will be looking at further intelligence data and fraud, as well as I think one or two other areas. But we are beginning the winddown, if you will, and I think the committee has a lot of background work to do over the course of the next 2 weeks.

So until September, we will adjourn the public hearings, and I thank you very much for being with us today.

We stand adjourned.

[Whereupon, at 2:07 p.m., the hearing was adjourned.]