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THE RETURN OF AMERICAN PRISONERS  
OF WAR FROM SOUTHEAST ASIA  
A Compilation of Materials on the  
Release of Prisoners-of-War and  
the Missing-in-Action Recovery  
Program

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October 29, 1973

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## **I. Introduction and Summary**

The purpose of this compilation is to record essential elements concerning the return of American prisoners-of-war (POWs) from Indochina. Beginning with relevant provisions of the cease-fire agreement and concluding with a brief section on the Code of Conduct and the behavior of American POWs in Indochina, these papers are arranged for the most part in chronological order and are taken from official Government publications and the press.

Section II contains provisions of the cease-fire agreement relating to captured and missing military and civilian personnel. These provisions set in motion the repatriation and missing-in-action recovery programs.

Section III contains a complete list of the names of all released prisoners-of-war. Military personnel are grouped by service and rank, including those who died while in captivity. Civilian prisoners are also listed, with date and location of capture and date of release shown.

Section IV deals with benefits provided and proposed for the returned prisoners and those listed as missing. Included in this section is a summary of recent public laws, executive agency actions, and bills which have to do with benefits.

Section V describes the program dealing with the advance preparations for release, part of which was known as "Operation Homecoming." Major portions of this section include a Defense Department description of the overall "Operation Homecoming" activities, and press articles on various facets of the homecoming program.

Section VI contains a comprehensive chronology of the actual release of the prisoners. From the first to the last, all incremental releases are shown along with the number of men in each. Additionally, the two Communist-

initiated interruptions in the release program are noted along with press evaluations of the possible reasoning behind the actions. Further, this section contains some periodical analyses of and perspectives on the overall operation of the release program.

Section VII directs attention to treatment and conditions during imprisonment, as related by individual prisoners after the last man had been released. All of these personal accounts are from newspapers and periodicals.

Section VIII is concerned with reports and information on those men listed as missing-in-action (MIAs). In this section, various press articles and government publications focus on actions taken in an effort to account for and locate the missing men. Attention is also directed at the diplomacy required to obtain the assistance of those Southeast Asian countries in which MIAs are presumed to have been, and may still be, located.

Section IX includes accusations and official charges and indicates the disposition of allegations of misconduct, brought against some of the returned prisoners. Some personal denials of the misconduct allegations are also contained within this section, which consists wholly of articles published by the press.

Section X briefly treats the issue of the Code of Conduct and its application to the behavior of the prisoners while in captivity. The original Code, as promulgated by President Eisenhower in 1955, is shown along with a press analysis and interpretation of the Code and its governance over the behavior of the American prisoners-of-war during the Indochina conflict.

The return of American prisoners of war began with the release of 143 men on February 12, 1973. With the release on April 1, 1973, of Captain Robert T. White, United States Army, the repatriation program was concluded. Five

hundredeighty-eight POWs were returned to the United States under terms of the cease-fire agreement which was signed in Paris on January 27, 1973. Of this number, 564 were military men and 24 were civilians. Following diplomatic negotiations between the United States and China, three additional prisoners--two military and one civilian--were released from China on March 11 and 15, 1973. By geographic region the breakdown was: 457 from North Vietnam, 122 from South Vietnam, 9 from Laos, and 3 from China. Of the 566 military men, 325 were with the Air Force, 138 with the Navy, 77 with the Army, and 26 with the Marines. Many of the 25 civilian personnel were associated with various government agencies. In addition, according to the list provided American officials, 55 men had died while in captivity.

On April 13, 1973, the Pentagon announced that there was no evidence that any more U.S. prisoners-of-war were still alive in Indochina. Concern then began to focus on those listed as missing. As of ~~September 15, 1973~~ <sup>November 9, 1974</sup> ~~904~~ <sup>by the Department of Defense</sup> Americans were listed as missing-in-action, ~~all approx- imately 1,100 of these, who had at one time been considered missing, had later been declared dead.~~ Government authorities have stated that every effort will be made to locate every man listed as missing even though this endeavor could take many years.

CRB-4

**II. PERTINENT PROVISIONS OF THE CEASE-FIRE AGREEMENT**

DEPARTMENT OF STATE BULLETIN, February 12, 1973

**AGREEMENT ON ENDING THE WAR  
AND  
RESTORING PEACE IN VIETNAM**

The Parties participating in the Paris Conference on Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

**Chapter II**

**CESSATION OF HOSTILITIES—WITHDRAWAL OF TROOPS**

*Article 3*

Within sixty days of the signing of this Agreement, there will be a total withdrawal from South Vietnam of troops, military advisers, and military personnel, including technical military personnel and military personnel associated with the pacification program, armaments, munitions, and war material of the United States and those of the other foreign countries mentioned in Article 3 (a). Advisers from the above-mentioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time.

**Chapter III**

**THE RETURN OF CAPTURED MILITARY PERSONNEL  
AND FOREIGN CIVILIANS, AND CAPTURED  
AND DETAINED VIETNAMESE CIVILIAN PERSONNEL**

*Article 5*

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

**III. COMPLETE LIST OF RETURNED PRISONERS OF WAR**

COMMANDING DISLIST, Department of Defense, March 1, 1973

Headquarters and the Military Services have completed notification of next-of-kin of U.S. Servicemen whose names were on the lists received January 27 in Paris. The following were listed as held prisoners of war:

## ARMY

## --A--

Albert, Keith A., SP4  
 Allison, David F., SSgt  
 Anderson, John T., MSgt  
 Asinius, Richard C., Capt  
 Ashton, Francis G., CW2  
 Astorza, Jose M., SP5

## --B--

Baird, Bill A., SSgt  
 Branch, Michael P., SP4  
 Brinkley, Harvey G., MSgt

## --C--

Carlson, Albert E., Maj  
 Casarath, Jon R., Sgt  
 Cavanaugh, Robert P., SSgt  
 Chalmers, Luis G., Capt  
 Crawson, Fredrick H., SP5

## --D--

Daly, James A., Jr., Sgt  
 Daugherty, Leonard F., SP5  
 Davis, Thomas J., SSgt  
 DeLoach, Peter F., Sgt  
 Dean, John G., Capt

## --A--

Agnew, Alfred H., LCOL  
 Alcorn, Wendell R., LCOL  
 Alvarez, Everett Jr., LCOL  
 Anderson, Gareth L., LCOL

## --B--

Bailey, James W., LT  
 Baldwin, Frederick C., LCOL  
 Baxter, Carroll B., LT  
 Bell, James F., COR  
 Black, Clete, COR  
 Blake, Allen C., CAPT  
 Blackburn, Bernard M., LCOL  
 Burns, John D., COR  
 Butler, Philip N., LCOL

## --C--

Cary, David J., LCOL  
 Carpenter, Allen R., LCOL  
 Chaulcey, Anin R., COR  
 Christian, Michael D., LCOL  
 Coker, Claude D., COR  
 Collier, Gerald L., COR  
 Cook, George T., LT  
 Cooper, Kenneth L., LCOL  
 Cozzani, Ronald A., COR  
 Crosby, Michael P., LCOL

## --D--

Davie, Glenn H., LCOL  
 Davis, Verline W., COR  
 Day, Edward A., LCOL  
 DeLoach, Jeremiah A., Jr., CAPT  
 Demaris, Robert D., COR  
 Doss, Dale W., LCOL

## --E--

Eaton, Leonard C., COR  
 Eick, John C., LT  
 Eyles, Edward D., LCOL  
 Everett, David A., LTJG

## --E--

Ehott, Arnie W., Lt Col  
 Ettmuller, Harry L., SSgt

## --F--

Fara, Carol H. Jr., SFC  
 Frank, Martin S., SSgt

## --G--

Costas, Theodore W., Maj  
 Coyle, Donald J., MSgt  
 Guggenberger, Gary J., SP5

## --H--

Hardy, William H., Maj  
 Harber, David N., SSgt  
 Hatal, Oswald H., Sgt  
 Henry, Nathan G., SSgt  
 Hestand, James H., CW2  
 Horio, Thomas T., SP6

## --J--

Jacquez, Juan L., SP5  
 Johnson, Bobby L., SSgt

## --K--

Kern, Gal M., SSG  
 Kozashigawa, Tom Y., SP5  
 Kuehner, Floyd H., Maj

## --F--

Fant, Robert St. C., LCOL  
 Fellers, John H., COR  
 Franke, Fred A. W., CAPT  
 Fuller, Robert B., CAPT

## --G--

Guthrie, Ralph E., LCOL  
 Galanti, Paul E., LCOL  
 Gillespie, Charles R., CAPT  
 Glenn, Danny F., LCOL  
 Goudermote, Wayne K., LT

## --H--

Haines, Collins H., COR  
 Hall, Thomas R., LCOL  
 Halverson, Porter A., LCOL  
 Hardman, William M., COR  
 Hariz, John, LCOL  
 Heister, James M., COR  
 Aldson, Kenneth H., LT  
 Hoffman, David W., LCOL  
 Hoffman, James L., COR  
 Hyatt, Leo G., COR

## --J--

James, Charlie N., CAPT  
 Jenkins, Harry T., CAPT

## --K--

Kernan, Joseph E., LTJG  
 Key, Vernon D., LCOL  
 Knutson, Rodney A., LCOL  
 Kuffman, Theodore F., COR

## --L--

Lalande, Thomas B., LT  
 Lawrence, William P., CAPT  
 Lervath, Roger G., LT  
 Lesonski, Henry D., LCOL  
 Lewis, Earl G. Jr., LCOL

## --M--

Marlin, Edward H., COR  
 Masterson, Frederick J., LT  
 Mayhew, William J., LT

## --L--

Lenier, Michael R., SSgt  
 Leopold, Stephen R., Capt  
 Lewis, Robert III, SP6  
 Long, Julius W. Jr., SSgt

## --M--

MacPhail, Don A., Sgt  
 Malo, Isakko F., SP4  
 Maslowski, Daniel F., CW2  
 McMillan, Isiah R., SSgt  
 McMurray, Cordia, SFC  
 McMurray, William G. Jr., SSgt  
 Mehrer, Gustav A., PFC  
 Miller, Roger A., CW2

## --N--

Nico-Quinones, Felix V., SSgt  
 Newell, Stanley A., SSgt  
 Nowicki, James E., CW2

## --O--

O'Connor, Michael F., CW2

## --P--

Parsons, John W., Capt  
 Parricone, Richard R., SSgt  
 Pfister, James F. Jr., SSgt  
 Prather, Philip D., CW2  
 Purcell, Benjamin H., Col

## --R--

Rander, Donald J., SFC  
 Ray, John L., Capt  
 Rayford, King D. Jr., SSgt  
 Reeder, William S., Capt  
 Rodriguez, Ferdinand A., PVT  
 Rose, Joseph III, CW2

## --S--

Schrump, Raymond C., Maj  
 Smith, Mark A., Capt  
 Socher, David W., CW3  
 Sparks, John G., SP6  
 Springman, Richard H., SP4

## --T--

Tabb, Robert E., SSgt  
 Thompson, Dennis L., SFC  
 Thompson, Floyd J., Maj

## --W--

Wattlingford, Ken, Sgt  
 Wanat, George K., Capt

## --Y--

Young, John A., SSgt

## --Z--

Ziegler, Roy E. II, CW2

## NAVY

McCain, John S. III, LCOL  
 McDaniel, Eugene B., COR  
 McGrath, John M., LCOL  
 McKinney, John B., COR  
 McSwain, George P., LT  
 McTeary, Reed B., LCOL  
 Mahl, James P., CAPT  
 Metzger, William J., LT  
 Miller, Edwin F., LT  
 Mabley, Joseph S., LT  
 Molinari, Albert R., LT  
 Moore, Dennis A., LCOL  
 Moore, Ernest M. Jr., CAPT  
 Mulhan, Richard D., COR  
 Mulhgan, James A., CAPT

## --N--

Nakagawa, Gordon R., COR  
 Naughton, Robert J., LCOL  
 Nichols, Aubrey A., LCOL  
 Norrington, Giles R., LCOL

## --O--

Osborne, Dale H., COR

## --P--

Page, Gordon C., LCOL  
 Penn, Michael G., LTJG  
 Pine, James D., COR  
 Plumb, Joseph C., LCOL  
 Poffler, Clarence R., LCOL  
 Pickett, Leo T., CAPT  
 Purrington, Fred R., LCOL

## --R--

Ratzel, Ose V., LCOL  
 Reustall, Robert T., LT  
 Ratzlam, Richard R., LCOL  
 Rehmman, David G., LT  
 Rich, Charles D., LT  
 Rivers, Wendell B., CAPT  
 Rollins, David J., LCOL  
 Padish, Stephen A., LT  
 Russell, Kay, COR  
 Rutledge, Howard E., CAPT

## --S--

Schoffel, Peter V., COR  
 Schutz, Paul H., COR  
 Schneider, Robert J., COR  
 Shankel, William L., LCOL  
 Shumaker, Robert H., COR  
 Shuman, Edwin A. III, COR  
 Smith, Bradley E., LCOL  
 Souder, James B., LCOL  
 Southwick, Charles E., COR  
 Spencer, Larry H., LCOL  
 Stackhouse, Charles, LCOL  
 Staherd, Hugh A., COR  
 Starn, William R., COR  
 Stier, Theodore G., LT  
 Stockdale, James B., CAPT  
 Stratton, Richard A., COR  
 Sullivan, Timothy B., LT

## --T--

Targemahn, Richard G., LT  
 Tanner, Charles N., COR  
 Terry, Ross R., COR  
 Thornton, Gary L., LT  
 Triebel, Theodore, LCOL  
 Tschudy, William M., LCOL

## --V--

Vehden, Raymond A., COR

## --W--

Wheat, David R., LCOL  
 Wideman, Robert E., LT  
 Wieland, Carl T., LT  
 Wilbur, Walter E., CAPT  
 Williams, Lewis I., LT  
 Woods, Brian D., COR  
 Woods, Robert O., LCOL

## --Z--

Zuhoshi, Charles P., LT

## AIR FORCE

Abbott, Joseph S., Maj  
Abbott, Robert A., Capt  
Abbott, Wilfred K., Maj  
Acosta, Hector M., Ill  
Alexander, Fernando, Maj  
Alpers, John H. Jr., Capt  
Anderson, John W., Capt  
Andrews, Anthony G., Capt  
Arcus, William T., Ill  
Austin, William R., Capt  
Ayres, Timothy R., Capt

## -D-

Dagley, Bobby R., Lt Col  
Daker, David E., Capt  
Daker, Timm F., Lt Col  
Dallard, Arthur F., Lt Col  
Darvas, Lawrence, Maj  
Darrall, Robert W., Lt Col  
Darnell, Thomas J., Capt  
Darrow, Henry C., Capt  
Dates, Richard L., Ill  
Daugh, William J., Maj  
Dean, James E., Capt  
Dean, William R. Jr., Capt  
Deekman, Will D., Capt  
Deeks, Lynn R., Capt  
Deer, Ake D., Capt  
Berger, James R., Maj  
Bernasconi, L. H., Lt Col  
Biss, Hubert I., Maj  
Black, Arthur E., Capt  
Blieins, John C., Maj  
Bliss, Ronald G., Capt  
Bolslad, Richard E., Maj  
Bomar, Jack W., Lt Col  
Borking, John L., Capt  
Eoyd, Charles G., Maj  
Boyer, Terry L., Capt  
Brazleton, Michael L., Capt  
Brechner, William Jr., Lt Col  
Brenneman, Richard C., Capt  
Bridger, Barry B., Capt  
Breda, John W., Maj  
Brown, Charles A., Lt Col  
Browning, Ralph T., Capt  
Bryden, Edward A., Capt  
Brunson, Cecil H., Ill  
Brunstrom, Alan L., Lt Col  
Buchanan, Hubert E., Capt  
Buer, Arthur W., Maj  
Burns, Donald R., Col  
Burns, Michael T., Capt  
Burrage, William D., Col  
Butler, William W., Capt  
Byrne, Ronald F., Jr., Col  
Byrns, William G., Capt

## -C-

Lalaghan, Peter A., Capt  
Carrivots, Peter F., Capt  
Campbell, Burton W., Capt  
Carrigan, Larry E., Capt  
Carr, John P., Capt  
Casta, Robert O., Capt  
Chambers, Carl D., Capt  
Chasey, Kevin J., Capt  
Cherry, Fred W., Lt Col  
Chesley, Larry J., Capt  
Clab, John W., Capt  
Clements, James A., Lt Col  
Colins, James O., Lt Col  
Collier, Thomas E., Ill, Maj  
Condon, James C., Maj  
Conner, William W., Lt Col  
Cook, James R., Capt  
Cooland, M. C., Lt Col  
Cooper, Kenneth W., Maj  
Cormier, Arthur W., Sgt  
Cramer, Robert R., Lt Col  
Crack, Joseph Jr., Capt  
Crow, Frederick A., Col  
Crumpler, Carl D., Col  
Curtis, Thomas J., Lt Col  
Cusumano, Samuel C., Capt  
Cutter, James D., Capt

## -H-

Daughtrey, Robert N., Maj  
Davies, John O., Capt  
Day, George C., Col  
DeBartolo, Carl A., Maj  
Degee, David J., Capt

DeHid, Maynard, Capt  
DeLuca, James J., Lt Col  
DeMoss, John A., Lt Col  
DePinto, Jerry D., Capt  
Drummond, David L., Capt  
Duart, David H., Lt Col  
Dillon, Richard A., Col

## -E-

Elander, William J. Jr., Maj  
Ellis, Jeffrey T., Capt  
Ellis, Leon F., Capt  
Erickson, David, Lt Col

## -F-

Fer, John, Capt  
Fetter, John S., Col  
Fisher, Kenneth, Maj  
Fisher, Kenneth R., Col  
Fisher, Hubert R., Maj  
Fleming, Fredric R., Capt  
Flynn, John P., Col  
Foley, Vilus F., Lt Col  
Ford, David F., Capt  
Fowler, Harry P., Capt  
Francis, Richard I., Capt  
Fraser, Kenneth J., Capt  
Fulton, Richard J., Capt

## -G-

Gaddis, Norman C., Col  
Galt, Ralph W., Ill  
Gantt, William A., Capt  
Garrison, Terry M., Capt  
Gerritt, Gerald L., Capt  
Gibson, Willard S., Lt Col  
Gibson, Peter J., Capt  
Gough, James W., MSgt  
Grant, Paul L., Ill  
Grant, David D., Capt  
Gray, David F., Capt  
Greene, Charles F., Maj  
Gruber, Guy D., Capt  
Guarino, Lawrence H., Col  
Guenther, Lynn F., Capt  
Guterson, Laird, Col  
Guy, Theodore W., Col

## -H-

Hall, George P., Lt Col  
Hall, Ruth M., Maj  
Hanson, Gregg O., Ill  
Hanton, Thomas J., Capt  
Harris, Carlyle S., Lt Col  
Hatcher, David B., Lt Col  
Hawley, Edwin A. Jr., Capt  
Haxton, Jerome D., Capt  
Heilger, Donald L., Maj  
Henderson, William J., Capt  
Hess, Jay C., Maj  
Hildebrand, L. L., Maj  
Hill, Howard J., Capt  
Hinkley, Robert S., Capt  
Hinsaw, James E., Lt Col  
Huner, James O., Lt Col  
Hudson, Arthur T., Capt  
Hornik, Ramon A., Maj  
Hubbard, Edward L., Capt  
Hudson, Robert M., Ill  
Hughes, James L., Col  
Hughes, Kenneth P., Lt Col

## -I-

Ingraham, Froyer D., Lt Col

## -J-

Jackson, Charles A., Capt  
James, Robert O., Maj  
Jayson, Julius S., Lt Col  
Jelcoat, Carl H., Maj  
Jehrig, Robert D., Maj  
Jensen, Jay P., Maj  
Johnson, Harold F., Maj  
Johnson, Kenneth, Maj  
Johnson, Richard E., Maj  
Johnson, Samuel J., Col  
Jones, Murchy A., Maj  
Jones, Robert C., Capt

## -K-

Karr, Paul A., Maj  
Kasser, James H., Col  
Karin, Thomas H., Lt Col  
Karr, Michael S., Capt  
Kirk, Thomas H. Jr., Col  
Klinger, W. E., Col  
Klorman, Thomas J., Capt  
Kramer, Ga and O., Capt  
Kula, James D., Capt

## -L-

LaBrea, Michael M., Capt  
Lamar, James L., Col  
Lane, Michael C., Capt  
Lanson, Gordon A., Col  
Laster, Carl W., Maj  
Latta, George F., Ill  
Latham, James D., Capt  
Lebert, Ronald M., Capt  
LeBlanc, Louis E. Jr., MSgt  
Lergel, Laurin H., Capt  
Leas, Frank D., Capt  
Leas, Keith H., Capt  
Lester, Vernon P., Col  
Lilly, Warren R., Maj  
Lockhart, Hudson J., Maj  
Lochan, Donald K., Capt  
Lozier, James W., MSgt  
Lund, Jose D., Capt  
Lurie, Alan P., Lt Col

## -M-

Madden, Rex, Jr., SSgt  
Madson, Thomas M., Lt Col  
Madson, Ruth F., Lt Col  
Mairhart, Marion A., Capt  
Mantle, Michael P., Ill  
Mastin, Ronald L., Capt  
Matus, Wilson E., Capt  
Mayall, William T., Ill  
McCallister, Michael R., Maj  
McDaniel, Norman A., Maj  
McDonnell, Richard M., Ill  
McKnight, George G., Lt Col  
McManus, Kevin J., Capt  
McMurray, Frederick C., Capt  
McNish, Thomas M., Capt  
Means, William H. Jr., Lt Col  
Meichenber, Edward J., Capt  
Merritt, Raymond J., Col  
Meyer, Alton B., Maj  
Milligan, Joseph E., Capt  
Moore, Thomas H., Capt  
Monkus, Harold D., Capt  
Morgan, Gary L., SSgt  
Morgan, Herschel S., Lt Col  
Mott, David P., Capt  
Murphy, John S., Jr., Capt  
Myers, Armand J., Lt Col  
Myers, Glen L., Capt

## -N-

Nagahiro, James Y., Lt Col  
Nasmyth, John H. Jr., Capt  
Neuens, Martin J., Capt  
Newcomb, Wallace G., Capt  
Nix, Coan G., Maj  
Norris, Thomas E., Maj  
North, Kenneth W., Lt Col

## -O-

Odeit, Donald E., Lt Col  
Odeit, James W., Lt Col

## -P-

Padgett, James P., Maj  
Patterson, Thomas V., Maj  
Patt, Robert D., Maj  
Pattins, Candon W., Maj  
Patterson, Douglas B., Maj  
Pitcheard, John J., Lt Col  
Pollock, Martin, Col  
Pollard, Ben M., Lt Col  
Ponce, Larry D., Ill  
Purcell, Robert R., Lt Col  
Pyle, Garret E., Capt  
Pyle, Thomas S. II, Maj

## -R-

Ratzlaff, Brian W., Capt  
Ray, James F., Capt

Reich, William J., Ill  
Reynolds, Jon A., Maj  
Rinescott, Herbert H., Capt  
Robson, Raymond, Col  
Robinson, Paul K. Jr., Maj  
Robinson, William A., MSgt  
Rook, George A., Capt  
Rothberg, Mark J., Capt  
Rounyan, Albert P., Col

## -S-

Sandus, Robert J., Lt Col  
Sankhil, Robert R., Col  
Scherman, Wesley D., Maj  
Schweitzer, W. R., Capt  
Seiber, Bruce G., Lt Col  
Seek, Brian J., Ill  
Sehorn, James E., Capt  
Shanahan, Joseph F., Maj  
Shattuck, Lewis W., Lt Col  
Shiragaki, Tamotsu, Maj  
Shively, James R., Capt  
Simek, Theodore S., Capt  
Snyder, Jerry R., Capt  
Sma, Thomas W., Lt Col  
Simonet, Kenneth A., Col  
Simonsen, Richard T., Capt  
Singleton, William E., Capt  
Smith, Dewey L., Lt Col  
Smith, Richard F., Maj  
Smith, Wayne O., Capt  
Spencer, William E., Capt  
Spunzyberger, R. O., Capt  
Spoon, Donald R., Capt  
Sprecht, John F., Col  
Stanton, Thomas J., Lt Col  
Stirn, Robert L., Lt Col  
Stockman, Henry S., Col  
Storey, Thomas G., Maj  
Stultz, Leroy L., Capt  
Sullivan, Dwight E., Lt Col  
Sumpter, Thomas W., Lt Col

## -T-

Talley, Edward L., Maj  
Talley, William H., Lt Col  
Temperley, Russell E., Maj  
Terrell, Larry D., Lt Col  
Thornness, Leo K., Lt Col  
Tomes, Jack H., Lt Col  
Torelli, Loren H., Capt  
Tranham, Kenneth W., Maj  
Trimble, Jack R., Ill  
Tyler, Charles R., Maj

## -U-

Ueyama, Terry J., Maj

## -V-

Van Loan, Jack L., Lt Col  
Vazquez, Samuel R., Ill  
Vavre, Duane P., Ill  
Venus, Gerald S., Capt  
Vostoky, Raymond W., Lt Col  
Voigt, Richard D., Lt Col

## -W-

Waddell, Dewey W., Capt  
Waggoner, Robert F., Maj  
Walker, Hubert C., Capt  
Walkman, Donald G., Lt Col  
Ward, Frank H., Ill  
Webb, Ronald J., Maj  
Wells, Kenneth, Capt  
Wells, Norman L., Lt Col  
Wendell, John H., Maj  
Williams, James W., Capt  
Wilson, Glenn H., Maj  
Wilson, Hal K., Ill, Capt  
Wilson, William W., Ill  
Wind, David W., Col  
Wright, Lawrence D., Capt

## -Y-

Young, James F., Lt Col  
Young, Myron A., Capt  
Yurt, John H., Lt Col

## -Z-

Zuberbuhler, Rudolph U., Capt

## MARINE CORPS

|   |  |  |   |
|---|--|--|---|
| ---A---   | ---D---  | ---K---  | ---   |
| Acheson, William Kerr, Capt.<br>Anchilua, Jose Jesus Jr., Sgt<br>Acher, Bruce H. Capt | Dremske, John A., SSgt<br>O'Brien, James V., Capt<br>Dunn, John H., Lt Col | Kearns, Abel L., Sgt<br>Krobin, Alan J., Lt  | Sandie, Orson G., Maj                                   |
| ---B---   | ---E---  | ---M---  | ---T---   |
| Cowan, Paul Gordon, 1st Lt<br>Durd, Leonard R. Jr., Sgt<br>B. Gress, Richard G., Sgt  | Elbert, Frederick L. Jr., Pvt<br>Fries, Laurence Victor, Capt              | Marvel, Jerry Wendell, Lt Col<br>Miller, Edison Wainwright, Lt Col<br>Montague, Paul J., Maj | Teller, Dennis A., Sgt<br>Thomas, William S. Jr., CWO-3 |
| ---C---   | ---H---  | ---R---  | ---W---   |
| Chapman, Harlan P., Lt Col<br>C. J. Frank Jr., SSgt                                   | Halle, Robert R., Sgt  | Riate, Alfonso J., Sgt<br>Pidgeon, Ronald L., Svt  | Walsh, James P. Jr., Capt<br>Warner, James Howe, Capt   |

The following names should be included in the listing of returned Prisoners of War:<sup>1</sup>

| <u>NAME</u>             | <u>RANK</u> | <u>SERVICE</u> | <u>PREVIOUSLY CARRIED AS:</u> |
|-------------------------|-------------|----------------|-------------------------------|
| BEDINGER, Henry J.      | LT          | USN            | PW                            |
| BUTCHER, Jack M.        | CAPT        | USAF           | MIA                           |
| GOTNER, Norbert A.      | MAJ         | USAF           | MIA                           |
| LEONARD, Edward W., Jr. | MAJ         | USAF           | MIA                           |
| LONG, Stephen G.        | CAPT        | USAF           | PW                            |
| NISS, Charles F.        | CAPT        | USAF           | MIA                           |
| SPISCHER, Walter M.     | LTC         | USAF           | PW                            |
| WHITE, Robert T.        | CAPT        | USA            | PW                            |
| FLYNN, Robert J.        | LCDR        | USN            | PW                            |
| SMITH, Philip E.        | MAJ         | USAF           | PW                            |

<sup>1/</sup> The following names of returned prisoners-of-war were released by the Department of Defense subsequent to the publication of the above list. Department of Defense Information, April 1973.

In addition to names of those held as prisoners, the lists received January 27 stated that the following U.S. Servicemen had died while held:

**AIR FORCE**

Asamo, Samuel, SMSgt  
 Amstern, Edwin C., Maj  
 Burdick, Edward B., Col  
 Cobell, Earl G., Maj  
 Dahl, William C., Maj  
 Dege, Ward A., Col  
 Eising, Charles G., SMSgt  
 Grubb, Walter N., Lt Col  
 Hagler, Keith R., Lt Col  
 Hapke, Thomas, SMSgt  
 Henson, Benjamin B., Col  
 Pemberton, Gene Y., Col  
 Schmidt, Norman, Col  
 Swan, Lance P., Capt  
 Stern, David E., Lt Col  
 Workamp, Robert L., Capt

**NAVY**

Abbott, John, Capt  
 Cameron, Kenneth R., COR  
 Cannon, James J., LCDR  
 Johnson, Terry A., COR  
 Quinn, James L., COR  
 Hartman, Richard D., COR  
 Smith, Homer L., Capt  
 Stamm, Ernest A., COR  
 Walters, Jack Jr., LCDR

**MARINE CORPS**

Burns, Frederick J., Sgt  
 Cook, Donald G., Maj  
 Crawford, John W., CWO-2  
 Gussitt, Edwin R., Sgt  
 Harwood, Dennis W., Sgt  
 Sherman, Robert C., Sgt  
 Weatherman, Earl C., Pvt  
 Zwickler, Joseph S., Sgt

**ARMY**

Abrams, Buzz, Sergeant, SFC  
 Bennett, Harold G., Sgt  
 Cannon, Francis E., Col  
 Clarke, Jon L., SSG  
 E. J. Smith, William F., Capt  
 Hurlston, Walter Jr., Sgt  
 Knight, Billy, Sgt  
 Paris, Joe, SFC

Part, William D., Sgt  
 Ray, James M., SSG  
 Roraback, Kenneth M., MSgt  
 Saffer, James Jr., MSgt  
 Schuman, John R., Maj  
 Sherb, Earl E., SSG  
 Smith, William M., Sgt  
 Souther, James J., SFC  
 Tappan, Leonard M., SSG  
 Varado, Michael B., CWO-2  
 Verasco, Humbert R., Capt  
 Walker, Orin J., Maj  
 Williams, Richard F., SSG  
 Young, Robert M., Capt

Personnel on lists received in Paris identified as Died While Held—previously carried in U.S. records as Killed In Action.

**ARMY**

Barratt, Harold G., Sgt  
 Carvon, Francis E., Col  
 Eisenbach, William F., Capt  
 Knight, Billy, Sgt  
 Paris, Joe, SFC  
 Part, William D., Sgt  
 Roraback, Kenneth M., MSgt  
 Schuman, John R., Maj  
 Souther, James J., SFC  
 Tappan, Leonard M., SSG  
 Verasco, Humbert R., Capt  
 Walker, Orin J., Maj  
 Williams, Richard F., SSG

**MARINE CORPS**

Burns, Frederick J., Sgt  
 Gussitt, Edwin R., Sgt  
 Sherman, Robert C., Sgt

Personnel on lists received in Paris identified as Currently Held—previously carried in U.S. records as Missing

**ARMY**

Astorg, Jess M., SPS  
 Varado, Mickey G., SPS  
 Drake, Peter E., Sgt  
 Clark, Carroll E., Jr., SFC  
 Frank, Martin S., SSGT  
 Hanks, God M., SSGT  
 King, Isasha F., SPS  
 Nickerson, William G., Jr., SSGT  
 Miller, Peter A., CWO-2  
 Prier, William S., Capt  
 Tapp, Robert E., SSGT  
 Thompson, Dennis L., SFC

**NAVY**

Abram, Alfred H., LCDR  
 Post, George C., LCDR

**AIR FORCE**

Acosta, Hector M., 1Lt  
 Alford, John H., Jr., Capt  
 Bates, David E., Capt  
 Bates, Richard L., 1Lt  
 Brunson, Cecil M., 1Lt  
 Cameron, Peter P., Capt  
 Cook, James B., 1SGT  
 Custance, Samuel B., Capt  
 Covert, William A., Capt  
 Crouse, Peter J., Capt  
 Henderson, William J., Capt  
 Henson, Thomas J., Capt  
 LeBrew, Michael M., Capt  
 Letolle, George E., 1Lt  
 Latham, James D., Capt  
 Lewis, Keith H., Capt  
 Lollar, James L., SSGT  
 McMurray, Frederick C., Capt  
 Morgan, Gary L., SSGT  
 Mott, David P., Capt  
 Murphy, John S., Jr., Capt  
 Nishida, James Y., 1Lt  
 Pajzich, Brian M., Capt  
 Shrago, Emanuel, Maj  
 Spangenberg, R. D., Capt  
 Wilson, William W., 1Lt  
 Young, Byron J., Capt  
 Zuberhuler, Rudolph U., Capt

**MARINE CORPS**

Cook, Frank E., Jr., SSGT  
 Helle, Robert M., Sgt  
 Krobath, Alan J., 1Lt  
 Thomas, William E., Jr., CWO-2  
 Walsh, James P., Jr., Capt

Personnel on lists received in Paris identified as Died While Held—previously carried in U.S. records as Missing

**ARMY**

Sherb, Earl E., SSGT  
 Smith, William M., Sgt  
 Varado, Michael B., CWO-2

**NAVY**

None

**AIR FORCE**

Dahl, William C., Maj  
 Dege, Ward A., Col  
 Hedden, Keith H., 1Lt  
 Henson, Benjamin B., Col  
 Pemberton, Gene Y., Col  
 Schmidt, Norman, Col  
 Swan, Lance P., Capt  
 Workamp, Robert L., Capt

**MARINE CORPS**

None

| Total Reported Died While Held | Total Reported Held | Total Names of U.S. Servicemen On Lists Provided |
|--------------------------------|---------------------|--|
| Army 22                        | Army 76             | Army 98  |
| Navy 9                         | Navy 135            | Navy 144   |
| Air Force 16                   | Air Force 318       | Air Force 334                                    |
| Marines 8                      | Marines 26          | Marines 34                                       |
| TOTAL 55                       | TOTAL 555           | TOTAL 610  |

DEPARTMENT OF STATE INFORMATION, March 1973

AMERICAN CIVILIANS RETURNED FROM CAPTIVITY IN INDOCHINA

| <u>NAME AND SOCIAL SECURITY NUMBER</u>        | <u>DATE AND PLACE OF CAPTURE</u>   | <u>DATE OF RELEASE</u> |
|---|------------------------------------|------------------------|
| 1. ADKINS, Clodeon<br>425-01-7528             | Feb. 1, 1968<br>Hue, SVN           | Mar. 5, 1973           |
| 2. BERGE, Michael Dennis<br>543-32-7116       | Jan. 31, 1968<br>Ban Me Thuot, SVN | Mar. 5, 1973           |
| 3. BRACE, Ernest Cary<br>369-28-8569          | May 21, 1965<br>Sayaboury, Laos    | Mar. 28, 1973          |
| 4. BROOKENS, Norman John<br>209-12-7390       | Feb. 4, 1968<br>Saigon, SVN        | Feb. 12, 1973          |
| 5. DAVES, Gary Lawrence<br>526-64-9138        | Feb. 1, 1968<br>Hue, SVN           | Mar. 27, 1973          |
| 6. FRITZ, John Joseph Jr.<br>173-28-4867      | Feb. 8, 1969<br>Near Saigon, SVN   | Feb. 12, 1973          |
| 7. HENDERSON, Alexander<br>285-16-6517        | Feb. 1, 1968<br>Hue, SVN           | Mar. 16, 1973          |
| 8. KEESEE, Bobby Joe<br>456-46-0659           | Sept. 18, 1970<br>NVN              | Mar. 15, 1973          |
| 9. KJOME, Michael H.<br>483-34-9360           | Jan. 31, 1968<br>Near Saigon, SVN  | Feb. 12, 1973          |
| 10. MANHARD, Philip<br>Wallace<br>546-24-3241 | Feb. 2, 1968<br>Hue, SVN           | Mar. 16, 1973          |

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|     |   |                                     |               |
|-----|---|-------------------------------------|---------------|
| 11. | MATTIX, Samuel<br>535-52-4463               | Oct. 28, 1972<br>Kengkok, Laos      | Mar. 28, 1973 |
| 12. | Moyer, Lewis E.<br>570-40-4002              | Feb. 1, 1968<br>Hue, SVN            | Mar. 27, 1973 |
| 13. | NEWINGHAM, James<br>Alton<br>464-64-7739    | Feb. 8, 1969<br>Near Saigon, SVN    | Feb. 12, 1973 |
| 14. | OLSEN, Robert Floek<br>564-48-7752          | Jan. 31, 1968<br>Hue, SVN           | Mar. 27, 1973 |
| 15. | PAGE, Russell Jean<br>366-16-1109           | Jan. 31, 1968<br>Hue, SVN           | Mar. 16, 1973 |
| 16. | RAMSEY, Douglas<br>528-44-3970              | Jan. 17, 1966<br>Hau Nghia, SVN     | Feb. 12, 1973 |
| 17. | ROLLINS, James<br>Uhland<br>563-42-0838     | Feb. 5, 1968<br>Cholon, Saigon, SVN | Feb. 12, 1973 |
| 18. | RUSHTON, Thomas Jr.<br>027-24-0994          | Jan. 31, 1968<br>Hue, SVN           | Mar. 27, 1973 |
| 19. | SPAULDING, Richard<br>Hamble<br>444-34-1625 | Jan. 31, 1968<br>Hue, SVN           | Mar. 16, 1973 |
| 20. | STARK, Lawrence J.<br>358-26-7907           | Feb. 1, 1968<br>Hue, SVN            | Mar. 5, 1973  |
| 21. | UTECHT, Richard<br>William<br>447-12-4229   | Feb. 4, 1968<br>Saigon, SVN         | Feb. 12, 1973 |

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- |     |  |                           |               |
|-----|--|---------------------------|---------------|
| 22. | WALDHAUS, Richard G,<br>568-23-678 (I.D.No.) | Aug. 4, 1971<br>SVN       | Feb. 12, 1973 |
| 23. | WEAVER, Eugene A.<br>391-20-3220             | Jan. 31, 1968<br>Hue, SVN | Mar. 16, 1973 |
| 24. | WILLIS, Charles<br>Edward<br>245-20-3125     | Jan. 31, 1968<br>Hue, SVN | Mar. 27, 1973 |

17. BENEFITS PROVIDED AND PROPOSED FOR FOJAs AND MIAs

MEMORANDUM FOR THE SECRETARY, Department of Defense, March 1, 1973

### Include Provisions for Families of MIAs

## Laws, Executive Actions Benefiting Returnees Detailed

*Long before American prisoners of war began the trip home, the U.S. Government anticipated their return and possible needs by starting various programs to benefit them. A large body of the benefits for prisoners of war has been enacted into Public Law. Other portions represent Executive Branch actions, making available the existing resources, such as special Veterans Administration programs.*

*Following is a compilation of those programs.*

#### **Public Law 91-200, February 1970**

Public Law 91-200 abolished the \$10,000 limit on which interest is payable in Uniformed Services Savings Deposit Program for all of the Uniformed Services personnel who are prisoners of war or missing in action (PW/MIAs). The provisions of P.L. 91-200 are applicable to those members who, during the period February 28, 1961, to termination of combatant activities in Vietnam, entered into or may have entered into a prisoner-of-war, missing-in-action, or detained status.

#### **Public Law 91-289, June 1970**

Public Law 91-289 amended the War Claims Act of 1948. The law grants, to any member of the Armed Forces of the United States who was held a prisoner of war for any period of time between February 28, 1961, and the official ending of the Vietnam Conflict, slightly increased benefits over those granted to authorized prisoners of war captured during World War II and the Korean Conflict. The law authorizes \$2 for each day of captivity during which the prisoner of war was not furnished the quality or quantity of food as specified by the Geneva Convention and \$3 per day of captivity for forced labor or inhumane treatment contrary to the Geneva Convention.

The act also provides for payment of \$60 per month to all civilian American citizens who are held captive by North Vietnam forces. In the case of death or a determination of death of a person entitled to compensation under this act, the compensation is payable to specific survivors, including the widow,

children, and parents in that order.

#### **Public Law 91-534, December 1970**

Public Law 91-534 provided a family separation allowance of \$30 a month to any member of a Uniformed Service not otherwise entitled to this allowance if he has dependents and was in a missing status on or after February 28, 1961. Members in grades up to E-4 and those in grade E-4 who have less than 4 years of service are the primary recipients of the benefit. The law became effective on January 1, 1971.

#### **Public Law 91-584, December 1970**

Public Law 91-584 granted certain Veterans Administration (VA) benefits to wives and children of Servicemen in a missing status. The law provides that the wife or children of a member of the Armed Forces who has been officially declared missing in action, captured, or detained or interned by a foreign government may use the education benefits to which the husband or father would be entitled. The special entitlement ends when the military member's missing status is officially terminated. The law also provides that the wife of such member is eligible for home loan guarantee benefits equivalent to those to which the Serviceman is entitled. The eligibility lasts until the member's status under the Missing Persons Act is terminated. Use of the guaranteed home loan provision by the wife will not bar the Serviceman from subsequently exercising the home loan guarantee benefit available from VA.

#### **Public Law 92-169, November 1971**

Public Law 92-169 made promotion

#### **"MISSING STATUS"**

By law, "missing status" encompasses the status of a member of a Uniformed Service who is officially carried or determined to be absent as a result of being: 1) missing, 2) missing in action, 3) interned in a foreign country, 4) captured, beleaguered, or besieged by a hostile force, or 5) detained in a foreign country against his will.

of a missing member valid for all purposes. The law provides that promotions of persons carried as missing under Title 37, United States Code, are valid for all purposes, including Federal benefits to survivors, even though the date of death of the missing member is later determined to have occurred prior to the promotion. Dependency and Indemnity Compensation (DIC) paid by the Veterans Administration to the survivors of a Serviceman who dies on active duty is based on the pay grade held by the member as of the date of his death. Except for this law, promotion after the date of death could not be considered in determining the amount of DIC payments due. The law insures that compensation payments are based on the rate of pay for the higher grade. Enactment date was November 24, 1971.

#### **Public Law 92-279, April 1972**

Public Law 92-279 amended existing income tax exclusion laws. The law amends the existing statutes with respect to the dollar limits previously in effect on compensation received by Armed Forces personnel while serving in a combat zone that can be excluded from gross income for income tax purposes. The April 1972 law excludes from gross income for income tax purposes that "... compensation received for active service as a member of the Armed Forces of the United States for any month during any part of which such member is in a missing status during the Vietnam conflict." The enactment date was April 26, 1972.

#### **Public Law 92-365, August 1972**

Public Law 92-365 authorized Service Academy appointments for sons of persons in a missing status. The law permits children of Service members and civilian employees who are in a missing status during the Vietnam Conflict to compete in a special category for Presidential appointment to a Service Academy. Previously, the law authorized 30 children of Armed Forces members who were killed in action or suffered 100 percent service-connected disability to be in each of the three Service Academies at any one time. The law increases that number to

It also adds to the other two eligible groups those sons of Servicemen or civilian employees in missing status during the Vietnam Conflict.

#### Public Law 92-477, October 1972

Public Law 92-477 authorized additional movements of dependents and household goods and personal effects of those who are in missing status. Previous law allowed only one movement of household goods and effects of those members. The new law authorizes the dependents of a member in a missing status, having once been furnished transportation for themselves and their household and personal effects incident to the member's entry into a missing status, to be furnished transportation more than once while the member's status remains unchanged. The law also authorizes an original and additional movement of mobile homes or house trailers of members in missing status as long as the movement is within the continental United States (CONUS) or Alaska or between the two areas. Movement of those items at Government expense was not previously authorized.

#### Public Law 92-482, October 1972

Public Law 92-482 permitted continued payment of incentive pay for hazardous duty following the return of a member of the Uniformed Services who had been in a missing status. The law, enacted on October 9, 1972, authorizes the continued payment of such compensation through the period of hospitalization and rehabilitation necessary following a person's return from missing status. It can continue for up to one year. In supporting passage of the legislation the Department of Defense emphasized that, because of the length and circumstances of their confinement, many of these persons must be expected to require extended periods of hospitalization and rehabilitation following repatriation. It was the DoD position that family incomes should not be reduced during this period by the elimination of incentive pay—even though the person may not meet all the requirements for performance of hazardous duty at the time of repatriation.

#### Public Law 92-510, October 1972

One provision of Public Law 92-510 extended expiration dates of certain powers of attorney executed by Service members who are missing in action or

held as prisoners of war. This portion of the law alleviates an adverse situation that has developed for PW/MIA families because of the prolonged periods some members have been prisoners or missing. As enacted, the law extends the expiration date of certain powers of attorney granted to a wife or other person in order to facilitate the handling of necessary financial transactions.

#### Public Law 92-596, October 1972

Public Law 92-596 relieved military personnel in a missing status of the 60- or 90-day limitations applying to the accumulation of leave. It provides for a cash payment for leave accrued while in a missing status, subject to a 150-day limitation on leave accrual for members determined to have died while in such status. For those determined to have died while in a missing status, maximum leave accrual will not exceed 150 days, unless the actual date of death is determined to have occurred subsequent to 8 years after entry into a missing status. In such cases leave will accrue from entry into missing status until the actual date of death. Payment for leave so accrued will normally be made to the member's estate or his beneficiaries.

Repatriated members will be entitled to payment for all leave accrued while in missing status. Payment will be based on a one-time updating of the member's leave record and will not interfere with subsequent accrual of leave or with unused leave accrued prior to entering a missing status. The law will also not interfere with the granting of necessary convalescent leave.

The legislation applies not only to persons now in a missing status, but also to any member who lost unused accrued leave because of having been in a missing status for any period since February 25, 1961.

### ADMINISTRATIVE ACTIONS

#### FICA Payments

Although not a legislative item, the Department of Defense and the Internal Revenue Service (IRS) have reached an agreement on recovery of back FICA taxes paid by PW/MIA personnel. The law applies in all cases where the date of death of the Serviceman is known to have occurred at some time prior to the actual stoppage of an allotment for FICA payments. Administrative procedures for filing such claims are being

worked out by the IRS. FICA taxes paid by PW/MIA persons whose date of death is presumptive is determined by the appropriate Service Secretary or, not recoverable, since those withholdings go toward Social Security benefits computed as of the presumptive date.

#### Space-Available Travel

The dependents of persons listed as PW/MIA can get space available travel in military aircraft for trips within CONUS or over seas when specifically authorized by the appropriate Chief of Staff for humanitarian reasons.

#### Ruling on SGLI Coverage

A Veterans Administration (VA) ruling announced in November 1972 made possible the payment of as much as \$5,000 or \$10,000 additional life insurance to families of some Servicemen in missing status and later determined to have died.

Families of Servicemen who were in a missing status prior to September 29, 1965—when Servicemen's Group Life Insurance (SGLI) first became available—and of those who were carried in this status before June 25, 1970—when the amount of insurance was increased from \$10,000 to \$15,000—are affected by the VA ruling.

Under the VA regulation, SGLI coverage will be deemed to have continued until the Department of Defense officially terminates the missing status. For example, if a Serviceman was in missing status prior to September 29, 1965, SGLI will be payable to his survivors, if he is dead. If he were found or determined to have died on any date prior to June 25, 1970, while still in a missing status, the original SGLI amount of \$10,000 will be payable. In the cases of Servicemen in missing status before June 25, 1970, who are later found or determined to have died on some later date while still in missing status, the increased SGLI amount of \$15,000 will be payable to survivors. By legal definition, missing status includes both missing in action and prisoner of war, as well as certain other circumstances of missing from duty.

Under normal insurance practices no insurance would be payable where death occurred before the insurance went into effect and only the lower amount would be paid where death occurred before the insurance was increased. Under VA's current rule, insurance will be provided if the member was carried by his Service in a missing status (that is, pay and allowances were continuing) when the policy became effective in 1965 and the increased amount will be payable if the missing status continued through the 1970 date even though it may develop that death occurred earlier than one of these dates.

The new rule is limited to SGLI. That program is unique in that the coverage and increased coverage were provided automatically based on the missing Serviceman's continuing pay status.

In any other situation, life insurance would have been in effect when the missing status commenced and the amount would be the same when death actually occurred. Premiums paid after death would be returned. However, that approach in the SGLI program would lead to survivors' receiving no insurance or a lesser amount of insurance when they had been led to believe the full amount was in force, and premiums had been deducted from Service pay on that basis. Such a result would be inequitable, VA officials feel.

In dealing with all veterans' benefits for PWs, MIAs, and their families, VA officials said "this same compassionate approach will be used to the maximum extent possible under the law."

#### **Benefit Retroactivity Ruling**

An amendment to social security regulations to protect survivors of Servicemen having been carried in a missing status against loss of social security benefits was adopted by the Social Security Administration in June 1970.

The administrative change, published in the FEDERAL REGISTER at the time, eliminated a technical barrier that, in some cases, could have kept Servicemen's survivors from receiving full benefit protection.

Under usual procedures, the retroactivity of benefits is limited to no more than one year prior to the month in which survivors file an application for benefits or a statement of intent to claim benefits.

There is a natural reluctance on the part of next-of-kin of a member in missing status to officially state an intent to claim social security benefits, thus presuming the death of the member before an official determination is made as to the person's status. In cases where a Service Secretary receives information that establishes an earlier date of actual death, the 1970 regulation change will preclude the loss of many months of social security benefits for survivors. Under the change, the casualty form prepared by the appropriate Service indicating the member's missing status will be considered as a statement of intent to claim benefits.

Thus, no benefit loss will occur because of a time lapse between the actual death and application since the Service form is prepared shortly after the missing report is received.

The new procedure will also serve to protect the social security benefit rights of Servicemen declared in a missing status, later found to be alive, but disabled.

Benefits Proposed and Enacted in the 93rd Congress

During the first six months of the 93rd Congress, more than fifty separate bills had been introduced providing for both POW and MIA benefits. These bills provide for benefits ranging from employment opportunities for unemployed POWs to promotion of those men still listed as missing-in-action. As of June 30, 1973, one bill had been enacted as law. Public Law 93-26, signed April 27, 1973, deals with promotion of those listed as missing-in-action and is shown below.



Public Law 93-26  
93rd Congress, S. 1493  
April 27, 1973

An Act

HR. 101, 26

To amend title 38, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 552(a) of title 38, United States Code, is amended by adding the following sentence at the end thereof: "Notwithstanding section 524 of title 38 or any other provision of law, the promotion of a member who has an unknown status is fully effective for all purposes, even though the Secretary concerned determines under section 550(b) of this title that the member died before the promotion was made."

SEC. 2. For the purposes of chapter 13 of title 38, United States Code, this Act becomes effective as of November 21, 1971. For all other purposes this Act becomes effective as of February 28, 1961.

Approved April 27, 1973,

V. ADVANCE PREPARATIONS FOR RELEASE

COMMANDERS DIGEST, Department of Defense, March 1, 1973

## Operation Homecoming

# Full Details of PW/MIA Program Outlined

The term "Homecoming" is the unclassified nickname for retreat in plans. Each of the Services has its own "Homecoming" plan. However, all are based on Defense Department policies on treatment, care, and assistance planned for the returned men.

Separate Service plans were required to accommodate the use of Service facilities and personnel and to task subordinate commands. One criterion that is important to each man's readjustment is that he be returned to a normal and familiar environment. For the returned Serviceman, that means, in part, a return to his branch of Service.

The mission of "Operation Homecoming" is to receive returned men and insure that they will get the very best treatment possible—sensitive, individualized processing and care. The ultimate goal is to help the man confidently rejoin U.S. society, his family and his chosen career as quickly and as easily as possible—to resume a normal healthy and productive life.

### Medical Attention for All

"Homecoming" is founded on the basic premise that all returning men would require medical attention, some much more than others. Certainly, all would require rest and time to readjust. Therefore, plans required that all returning men be placed immediately under medical auspices for complete medical check-ups and treatment as necessary.

Three men released in September 1972 appeared to be in normal good

health. However, experience in previous wars, as well as in this conflict, proved that appearance is no criterion for determining whether in fact an individual requires medical treatment. Only certain fundamental checks can confirm that a man is not suffering from some latent medical problem or disease. Experience with other men returning from captivity—particularly from Southeast Asia—clearly supports the necessity for immediate medical examinations.

In the case of the September returnees, medical examinations carried out indicated they were apparently in good health. However, this in no way alters the basic necessity for precautionary

medical examinations immediately upon release.

### Give, Receive Information

In addition to the primary concern with the medical condition of the man, there are other requirements that bear on his welfare and the welfare of other men missing or captured and their families. There is an urgent requirement to debrief these men for the information they may have on the status of others not returned.

Based upon past experience, two primary desires of returned men are for an immediate physical check-up and an immediate opportunity to tell debriefers what they know about those remaining in captivity or about those missing or deceased.

Returnees also want to know about their families, personal affairs and military future.

The sequence of "Homecoming" processing as it is planned is as follows:

### Defense Command Element

When it was announced that a Southeast Asia cease-fire agreement had been reached and would be signed by representative officials on January 27, a Defense Department command element—Homecoming Headquarters—was activated in anticipation of forthcoming prisoner of war releases. Officials from the four Services and all Defense Department agencies with responsibilities for "Homecoming" implementation operate the command element around the clock.

Each of the Services and other appropriate commands have similar elements. All installations that have responsibilities for receiving and processing the men have been alerted. The network of command centers provides the necessary coordination and direction for all activities that are associated with "Homecoming."

### Repatriation Points

The repatriation point for most Americans being released is Hanoi. For prisoners of war held in the southern part of South Vietnam, repatriation sites in the South were designated.

The men are being met in Hanoi and at points designated in the South by pre-selected and pre-briefed reception teams. They are given an immediate medical check to determine if their individual conditions permit air evacuation to the Joint Homecoming Reception Center. If their medical conditions require immediate medical treatment, they are taken to the nearest hospital.

### Homecoming Center

From the repatriation point, the men are transported by medical evacuation aircraft to the Joint Homecoming Reception Center (JHRC), which has been activated at Clark Air Base in the Philippines. The JHRC site was selected because of its proximity to receive points and because of the adequacy of the hospital facility there.

The primary emphasis throughout "Homecoming" is on caring for the medical needs and welfare of the returning men. The rationale for an interim stay at an overseas medical facility—the overseas JHRC at Clark—is to assure that the individual's medical condition would not be impaired by an extended and tiring trip to the United States.

The period of time that a man remains at the reception center is based on the medical staff's evaluation of the individual's health and the individual's desires. It is believed that the men should not be returned so fast that it would be detrimental to their health or make the journey uncomfortable. Conversely, it is not desired that the men stay overseas one day longer than absolutely necessary.

### To U.S. as Soon as Possible

The best medical facilities are available in the United States. It is intended that the men come home to their families and to these facilities, just as soon as the doctors say they can travel. Any unnecessary time overseas is not regarded in the best interests of the men. There is no specified period that the men remain at the Homecoming Center. Each

man is treated on an individual basis. Based on the varying medical conditions of the men, the period of time overseas can be expected to vary among individuals.

#### Necessary Family Travel Overseas

Should it be necessary for the man to remain overseas for an extended period, the family reunion could occur at Clark, if the man and his family so desire.

Therefore, upon a man's arrival at the reception center, medical checks are made to determine his readiness to travel to the United States. If immediate medical treatment is required, it will be provided.

#### Personal and Family Information Received

There are other requirements which must be met during this period, and they have been prepared for. One of the immediate concerns of the man is for his family and for information of a personal nature. An individual personnel brochure for each man has been sent to the Homecoming Reception Center. Included in that brochure is pertinent information pertaining to promotions, pay and savings.

One special section includes sensitive family information. In coordination with the families, items such as information regarding deaths or illnesses of relatives that have occurred since the man's capture have been included. Jointly with the families, instructions as to how and when the man will be advised of these

events have been developed. Personal messages and photographs provided by wives and parents are also included.

#### Telephone Call Home

One of the first things that each man has is an opportunity to make a telephone call to his family.

Personal comfort kits—toiletries for each man—are available at the Homecoming Reception Center. A new uniform, complete with appropriate rank insignia and up-to-date decorations, is also on hand for each individual. Clothing has been individually prepared, based on size information available from personnel records. Arrangements have been made for tailoring facilities as necessary.

Special arrangements have been made for disbursement of accumulated pay as the man desires.

#### PREVIOUS STATUS OF PERSONNEL LISTED (ON JANUARY 27) AS DIED WHILE HELD

|  | Army      | Navy     | Air Force | Marine Corps | TOTAL     |
|--|-----------|----------|-----------|--------------|-----------|
| Previously Carried as Prisoner of War  | 6         | 9        | 8         | 4            | 27        |
| Previously Carried as Missing          | 3         | 0        | 8         | 0            | 11        |
| Previously Carried as Killed in Action | 13        | 0        | 0         | 3            | 16        |
| Previously Carried as In Desertion     | 0         | 0        | 0         | 1            | 1         |
| <b>TOTAL</b>                           | <b>22</b> | <b>9</b> | <b>16</b> | <b>8</b>     | <b>55</b> |

#### Debriefings Scheduled

A number of the requirements at that time is an initial debriefing. Debriefing, though, is secondary to the man's medical and welfare needs and is conducted only when medically permitted.

The question often arises: Why the urgency to debrief these men? The initial debriefing is for the sole purpose of securing information on men missing and men not returned. Great urgency is attached to such information by the families of missing men. It has been found from experience with returned men that they are, in fact, eager and anxious to give that information to Service representatives immediately upon release—before their memory is confused by the influence of the many activities that will occur after release.

#### Most Valuable Information Source

As an example of how valuable the men are as sources for this type of information and the importance that the men themselves attach to it, one of the earlier returnees from Southeast Asia had memorized the names of 350 men and much information about their conditions.

As the PWs are judged medically fit, they are transported by specially configured C-141 medical evacuation aircraft. For maximum comfort and relaxation of passengers, each aircraft has both a bed and a seat for each man. Aboard is a complete medical staff. Each man also has a Service escort.

#### Service Hospital Near Home

In most cases, the medical evacuation flights from Clark land at Travis Air

Force Base, California. Once in the United States, the men are transported, in most cases, to Service hospitals near the homes of their next-of-kin. Exceptions are made in those instances where the medical needs of the man require specialized facilities or medical treatment.

At the Service hospitals, preparations are in order for the moment that the men and their families have been waiting for—family reunion. Reunions occur as soon as possible after the men arrive.

The precise manner and timing of the reunion and those in attendance is determined by medical advice and the desires of the man and his family. DoD and the Services prefer, and families agree, that the reunions should take place privately. Large crowds and fanfare may hinder the reunion that the men have envisioned.

#### Maximum Family Assistance

Throughout the entire "Homecoming" operation, contact will be maintained with the families and every possible assistance given to them. DoD and the Services presently maintain comprehensive programs of family assistance. Those programs will be expanded and tailored for the different needs which may arise during repatriation.

Families will be transported to hospitals in the United States at Government expense, and arrangements have already been made for lodging during their stay. They will have special escorts and will be provided all of the details concerning what is happening and what will occur during the processing of their men.

### Most Families Already Briefed

The Services have long conducted programs to familiarize families with the problems they have to face. A special program of briefing the families on the exact procedures of "Homecoming" was completed by the four Services. More than 2,000 family members had been personally briefed in detail. This was done at the direction of then Secretary of Defense Melvin B. Laird by special teams which included medical doctors, psychiatrists, plans and policy officials, legal officers, casualty assistance officers and comptroller personnel.

The families were familiarized with the captivity situation, the physical and psychological effects on the men, the procedures that apply in receiving and caring for the men, and the assistance that will be provided to the families. In addition, the Department of Defense distributed a pamphlet, prepared especially for families, summarizing repatriation planning.

In many cases, there will be a need for medical processing to continue even while the family reunion is occurring. The principal concern remains the medical well-being of the man. His medical evaluation and treatment will be completed at a hospital in the United States, and the definitive care necessary to return him to normal health will be provided there. Debriefing also will be completed.

When is it necessary to debrief men who have been through such an experience?

The necessity to secure information about the men who do not return has already been mentioned. In addition, each of these men has gone through a unique experience. DoD and the Services want to learn of that experience so that insight into the captivity environment can be gained, and others—who might be so unfortunate as to be captured by an enemy in the future—can be better prepared for the experience.

### Returnees Welcome Debriefing

More importantly, experience has shown that every man who returns from captivity urgently needs to tell his story—not publicly, but privately, to someone who will listen—not critically or with sympathy, but with empathy and understanding. He is eager to tell his story; it is important to the man.

### PREVIOUS STATUS OF PERSONNEL ON JANUARY 27 LIST WHO ARE TO BE RETURNED

|  | Army      | Navy       | Air Force  | Marine Corps | TOTAL      |
|--|-----------|------------|------------|--------------|------------|
| Previously Carried as Prisoner of War  | 64        | 133        | 291        | 20           | 508        |
| Previously Carried as Missing          | 12        | 2          | 27         | 4            | 45         |
| Previously Carried as Killed in Action | 0         | 0          | 0          | 1            | 1          |
| Previously Carried as in Desertion     | 0         | 0          | 0          | 1            | 1          |
| <b>TOTAL</b>                           | <b>76</b> | <b>135</b> | <b>318</b> | <b>26</b>    | <b>555</b> |

Within the Services, trained personnel are prepared to handle the debriefing job, both overseas and in the United States. Special training programs have been conducted to sensitize the debriefing specialists to the entire prisoner-of-war missing-in-action problem and to the individuals they will debrief.

### Special Career Counseling Available

In addition to the necessary medical care and debriefing, DoD and the Services are prepared to do all of those things bearing on readjustment and a return to a normal life. There are many administrative matters relating to a man's return to his Service, such as pay, other entitlements and benefits.

Extensive preparations have been made to provide the individual, at his desire, a resume of national and international events that have occurred in his absence. Films, recordings and written material were collected for that purpose. Included are materials on current events, sports, hobbies, and the like.

A major program is career counseling. Plans for a specialized career counseling program were completed. The men may need careful guidance to help them resume either military or civilian careers. Once the returned man makes a decision, further specialized assistance in pursuing his chosen course will be furnished.

### Hospitalization Period Flexible

The length of time a man spends in the hospital depends on his medical needs. As a general policy, each man will get, as medically appropriate, a generous period of convalescent leave.

### Men Missing in Action: Accounting Efforts Increase; Family Assistance Continues

One additional matter remains. At the time of repatriation, DoD and other officials are faced with the distressing problem of those men who are missing and do not return. The fullest possible accounting is necessary to determine the fate of those men, and their families cannot be forgotten in efforts to receive and process those men who have returned.

Information obtained from the returned men, it is hoped, will provide a valuable input in the determination of the status of many men who are missing in action. DoD and the Services are prepared for the task and will provide every possible assistance to these families.

"On behalf of all your friends throughout the Department of Defense, we join in extending a hearty welcome home!

"Everyone involved in Operation Homecoming is ready to do everything possible to assist you and your families. You can be certain, also, that we will not rest until all those still held captive are safe and until we have achieved the best possible accounting for those missing in action.

"We are glad to have you back. The prayers of your Nation continue to be with you."

—Message from Secretary of Defense Elliot L. Richardson and Admiral Thomas H. Moorer, Chairman of the Joint Chiefs of Staff, to the men who returned to U.S. care on February 12.

Clark Air Base in the Republic of the Philippines is serving as the initial reception point for returning U.S. prisoners of war and missing personnel.

Returned personnel travel by U.S. military aircraft from the point of release to the Joint Homecoming Reception Center (JHRC) at Clark Air Base.

At Clark, the returning men receive an initial medical evaluation, make telephone calls to their families and are fitted with new uniforms.

As soon as an individual is medically fit to continue movement to the United States, he travels by military medical evacuation aircraft to one of 31 Service hospitals. The men, in most cases, are evacuated to hospitals of their own Service near their homes.

The 31 hospitals designated to receive returning American Servicemen are:

**Army:**

Brooke Army Medical Center, Ft. Sam Houston, Texas  
 Letterman General Hospital, Presidio of San Francisco, California  
 Fitzsimmons General Hospital, Denver, Colorado  
 Valley Forge General Hospital, Phoenixville, Pennsylvania  
 Tripler General Hospital, Honolulu, Hawaii  
 Ireland Army Hospital, Ft. Knox, Kentucky  
 Patterson Army Hospital, Ft. Monmouth, New Jersey  
 U.S. Army General Hospital, Ft. Gordon, Georgia

**Air Force:**

Malcolm Grow USAF Medical Center, Andrews AFB, Maryland  
 Wilford Hall USAF Medical Center, Lackland AFB, Texas  
 David Grant USAF Medical Center, Travis AFB, California  
 USAF Regional Hospital, Maxwell AFB, Alabama  
 USAF Regional Hospital, Sheppard AFB, Texas  
 USAF Regional Hospital, March AFB, California  
 USAF Regional Hospital, Westover AFB, Massachusetts  
 USAF Medical Center, Scott AFB, Illinois  
 USAF Medical Center, Keesler AFB, Mississippi  
 USAF Medical Center, Wright-Patterson AFB, Ohio

**Navy:**

Oak Knoll Naval Hospital, Oakland, California  
 Balboa Naval Hospital, San Diego, California  
 US Naval Hospital, Great Lakes, Illinois  
 US Naval Hospital, Philadelphia, Pennsylvania  
 US Naval Hospital, Bethesda, Maryland  
 US Naval Hospital, Portsmouth, Virginia  
 St. Albans Naval Hospital, New York  
 Chelsea Naval Hospital, Boston, Massachusetts  
 US Naval Hospital, Jacksonville, Florida  
 US Naval Hospital, Bremerton, Washington  
 US Naval Hospital, Memphis, Tennessee  
 US Naval Hospital, Camp Lejeune, North Carolina  
 US Naval Hospital, Camp Pendleton, California

Hospital destinations for specific individuals are announced by a Joint Information Bureau (JIB) at Clark Air Base as individual Servicemen depart Clark for the United States.

# 610 U.S. Prisoner Families Notified

By Donald P. Baker  
Washington Post Staff Writer

The arduous and sometimes heart-breaking task of notifying families of men taken prisoner or missing in the nation's longest war was completed last night, with 335 families being told their loved ones are going to be released, 55 others getting confirmation of a death, and 1,013 more facing continued uncertainty.

The first stage of Operation Homecoming was completed about 8 p.m. just about 24 hours after the first of the 1975 families were told whether their next kin was on one of the lists given to U.S. officials by the North Vietnamese in Paris on Saturday.

Defense Department spokesman Jerry W. Friedhelm said the first 100 to 150 POWs may be flown out of Hanoi in the first seven days of February. They will go first to Clark Air Force Base in the Philippines, and those who are found to be in good

Washington Post, January 29, 1973

physical condition could be back in the United States two or three days later.

The list provided by the North Vietnamese was disappointing in two major respects. It was smaller than hoped

for, and it did not include the names of any men captured or missing in Laos.

Friedhelm said last night, however, that the United States expects to get "very soon" an accounting of the 317 men missing or imprisoned in Laos.

The list also displayed some discrepancies "obviously," Friedhelm said from that compiled over the years by American officials.

The Pentagon also said it has not had time to analyze the list, name by name, to determine how many men's status had changed. That analysis could be finished today, Friedhelm said.

When that is completed, it will be known how many of the 535 prisoners previously were thought to be missing or dead, and how many others thought to be imprisoned are suddenly unaccounted for.

Friedhelm emphasized that in the past few months, American officials will look into the cause and circumstances of death of the 55 men and begin an expanded search for the missing.

One of the few men previously listed as missing but now known to be a civilian is Air Force Capt. William J. Henderson, 25, of Milwaukee. His father, George W. Henderson, was "astounded" when Dr. Roger Shields, head of the Pentagon's Operation Homecoming, interrupted a dinner at the Army Navy Club here to tell the elder Henderson that his son is a prisoner in South Vietnam.

Other families, however, learned for the first time yesterday that their relatives were dead, either killed in action or had died while in prisoner-of-war camps. A defense Department spokesman telephoned Laurette Cook of Burlington, Vt., and said that her husband, Marine Corps Maj. Donald Cook, had died in a North Vietnamese prison in 1967.

Still others, such as Iris Powers, reached "the logical conclusion that he is dead." Mrs. Powers, of 903 Sixth St. SW, was told only that her son, Lowell, missing in South Vietnam since April 2, 1969, was not on the list of prisoners.

At a press conference yesterday afternoon, Phyllis Galanti, board chairman of the National League of Families of American Prisoners and Missing in Southeast Asia, said her organization is "gravely concerned that no list has yet been provided of men captured in Laos. We were promised that these men would be released in Hanoi."

Friedhelm said, "We expect to get that list." He said the United States is "now pursuing this in Paris."

If the list has not been received by the time of the first meeting of the joint four-power military commission that is to implement the cease-fire, Friedhelm said Maj. Gen. Gilbert H. Woodward, chief U.S. representative, "will raise it at that time."

The Pentagon had named only six men as prisoners in

Laos, but 311 more were listed as missing there. Two of the six POWs showed up on a list as captured in North Vietnam, but none of the 311 MIAs were listed. Friedhelm said he is confident, however, that there are "more than four" prisoners in Laos.

Of the 535 men to be released, 310 are in the Air

Force, 135 Navy, 70 Army and 20 Marine Corps. Of the 55 dead, 22 were Army, 16 Air Force, 9 Navy and 8 Marines.

Still unaccounted for are 697 Air Force men, 350 Army, 106 Navy and 102 Marines.

Presidential adviser Henry A. Kissinger said last Tuesday that no Americans are being held in Cambodia.

But five American civilians, including four newsmen, earlier had been listed as missing or captured in Cambodia.

The newsmen are Sean Flynn, on photo contract to Time magazine, and Dana Stone, a photographer on contract to CBS, both missing since April 6, 1970; Wallace Hagen of NBC, missing since April 30, 1970, and Terry Reynolds of UPI, missing since last April 20.

The fifth American is William McKay of California, a merchant seaman. McKay hijacked the Columbia Eagle to the port of Sihanoukville in February, 1970, just before Prince Sihanouk was overthrown. McKay reportedly was granted asylum in Cambodia.

A State Department official said yesterday that in addition to the possibility that the five men are dead, there are two hopeful alternatives: they were moved to Laos and eventually will show up in the Laotian lists, or they are being held by the Khmer Rouge.

A fifth newsmen, Alexander Shimkin of Newsweek magazine, has been missing in South Vietnam since last April 26. He was not on the North Vietnamese list of captured civilians.

State Department prisoner specialist Frank Sieverts said yesterday that Shimkin is believed to be dead.

A clarification was issued yesterday on the list of civilians released Saturday. It originally contained 32 names, but six, several misspelled, turned out to be military men who are imprisoned in South Vietnam. So the total of American civilian captives has been reduced to 26.

Mrs. Galanti, whose husband, Navy Lt. Cdr Paul E. Galanti of Richmond, is among those prisoners to be released, said, "today is a day of mixed emotions for the families of captured and missing Americans."

As she read a statement, she was flanked by two other officers of the organization who received no news about their husbands.

Mrs. Galanti said she and her board members went over the 535 names yesterday morning and observed that it came "very, very close" to accounting for the 476 known prisoners in North Vietnam. That would mean

that the major development involves Laos and the 109 men held prisoner by the Vietcong in South Vietnam.

Rep. G. V. Montgomery (D-Miss.), a member of the House Armed Services Committee, went to the Pentagon yesterday morning to check on the 18 men from his district who are prisoners or missing.

After talking with Defense Department officials, he said, "We'll have to face the blunt truth that few of the 1,354 missing men are on the list of prisoners."

He said the North Vietnamese were the first enemy that didn't allow the International Red Cross to go in, and inspect prison camps, so we had reason to think it (the total unaccounted for, but alive) might be high.

Maureen Dunn of Randolph Mass., said no one is talking about the five American boys (three military and two civilians) held prisoner in China. She said her husband, Navy Lt. Cdr. Joseph Dunn, was shot down over mainland China on Feb. 14, 1963.

For families of men still listed as missing, the wait—now more than eight years in a few instances—continues with little hope.

Shields, who directed the planning of Operation Homecoming, said, "It's not the end at all." He said the problem now is to find out what happened to the missing.

"It's a long way before an official presumption of death," a Pentagon official said last week. Friedheim said the search for missing would continue "for years" if necessary.

Many of the unaccounted for are feared to be washed in dense, uninhabited jungles. A search headquarters will be set up in Kamorn Phanom, Thailand.

WASHINGTON STAR

JAN 27 1973

CRS MAIN FILE COPY

By ORR KELLY

Special Staff Writer

A portion of the Pentagon's National Military Command Center — the nerve center from which the American forces in the Vietnam war had been directed — will go on a 24-hour basis today as the control point for the return of captured prisoners.

Pentagon officials said the center is under the direction of Dr. Roger Shields, who has been in charge of planning for Operation Homecoming.

From the command center, Shields and about a dozen military men and civilians working with him will have instant communications with Clark

Air Force Base in the Philippines, where the prisoners are expected to land after their release in Hanoi.

The first group of prisoners is expected to be turned over to American officials in Hanoi next week and about 100 men are scheduled to be released within 15 days. The remaining men are to be released at 15-day intervals, corresponding to the withdrawal of American forces from South Vietnam.

#### First to Philippines

The Pentagon said yesterday that there are a total of 1,925 men listed as captured or missing, including 475 prisoners held by North Vietnam. A list of prisoners to be turned over in Paris today, however, is expected to be about 45 men shorter than the American list, based on previous list made available by the North Vietnamese.

## 24-HOUR OPERATION

# POW Center in High Gear

The prisoners will be flown from Hanoi to Clark Air Force Base in C-141 Starlifter planes that, outfitted to meet the special needs of the prisoners, can carry 40 men apiece on the three-hour flight. At Clark, they will be checked by doctors and, as soon as possible, talk by phone with their families.

Pentagon press spokesman Jerry W. Friedheim said yesterday that those men who do not require special medical care will probably leave Clark in three or four days. After a 16-hour flight across the Pacific to Travis Air Force Base in California they will then fly in smaller C-9 Nightingale planes to hospitals near their homes.

#### Operation End Sweep

While the prisoners are being brought home, the remainder of the American troops in South Vietnam — some 23,000 men — will also be coming home, bringing with them their equipment.

Friedheim said the men would be flown home along with some of their equipment in what is called Operation Countdown. The bulkier equipment will be brought home by ship.

Other flights will return some 33,000 Korean troops to their homeland.

In the third phase of the American withdrawal from the war, some 20 to 25 ships and several thousand men are being assembled for Operation End Sweep.

After agreement has been reached in conferences with the North Vietnamese, they will begin sweeping mines from the coastal and inland waters of North Vietnam.

Friedheim said it was expected that the mine sweeping operation would take "quite some time" but he declined to be more specific.

WASHINGTON STAR  
 CRS MAIN FILE COPY  
 JAN 30 1973

# POWs to Get Gentle Grilling

By MILES BENSON  
 News Service

One of the first friendly faces each American war prisoner will see when he is released will be his military "debriefer," who will conduct a slow, gentle interrogation that will start before the POW reaches the United States, and may continue long afterward.

It is the debriefer who will hear the first detailed accounts of how U.S. pilots were shot out of the sky, how they were captured after parachuting into enemy territory, and what life was like in enemy POW camps where some of them spent as much as eight years.

"We find it very important to the men that they be allowed to debrief; that no one stand in their way if they want to tell their story," said an Air Force official.

The man selected by the

services for debriefing assignments include some used in the past to interrogate enemy war prisoners, say Pentagon sources. But each debriefer has received special training for the delicate task of questioning American returnees already questioned for long periods by the enemy.

"We teach the debriefer professionalism," said Lt. Col. Charles H. Peters, who helped develop the Air Force debriefing training school at North Island, San Diego.

"We teach them not to push, not to patronize, not to pressure, and not to pity the returnee," Peters said.

The first meetings, between returning POWs and the debriefers are expected to take place at Clark Air Force Base in the Philippines, the overseas processing center for the returnees on their way home. There, an initial debriefing

will take place aimed solely, says the Pentagon, at obtaining information about men still missing or in enemy hands.

Pentagon spokesmen emphasize the initial debriefing will not be attempted until after the returnee has been pronounced fit for it by a military physician.

From the Philippines, ex-POWs healthy enough to make the trip will be flown to 11 military hospitals across the United States where family reunions will take place, and where debriefing in depth will begin.

Questions will range from the efficiency of their aircraft's seat-ejection mechanism, in the case of pilots, to the details of their confinement.

The in-depth briefing, Peters said, can take as long as the

returnees want to discuss their captivity.

"We have found in discussions with past returnees, and with our psychiatrists and psychologists from all services, that the debriefing system is important first and foremost, to the returnee," Peters said.

Pentagon officials have said none of the returning men will be punished for making propaganda broadcasts or statements while in captivity, but the services have reserved the right to take action on any complaint by one prisoner against another.

"All Systems Go To Retrain Released PWs", CHICAGO TRIBUNE, February 4, 1974

## By Stephen Crews

Careers Editor

A SWEEPING EFFORT will be made by federal and state agencies to help returning prisoners of war make what is expected to be a difficult transi-

sition back into the military or civilian work worlds.

Rules and red tape have been tossed out, and manpower almost matching the known POW population has been committed to the task.

The program, considered by the government to be of the highest priority, is spelled out in a Department of Defense document titled, "Guidelines for Career Planning and Other Assistance for Returned POW-MIA personnel."

Under the plan, each of the 31 military hospitals nationwide that will be receiving former prisoners will be served by teams from state employment services, the Veterans' Administration, the Office of Education, the Civil Service Commission, military counselors, psychologists, and other agencies as required by the individual returnee.

BECAUSE OF THE unique nature of the Viet Nam conflict, most of the 587 known prisoners of war are officers. According to the government, the "typical" returnee will be a commissioned flight officer, between 30 and 40 years old, and will have been a prisoner for five years.

It is already known that the men will be returning to the United States laden with feelings of failure, frustration, anxiety, anger, and guilt.

The career issue is getting unprecedented attention because of findings that show a man's work is vitally tied to his feelings of self-respect, military reports indicate.

In a paper distributed to officials, Edgar H. Schein, of the Massachusetts Institute of Technology, said that psychological and medical disabilities must be dealt with, "yet, if we stop to think about it, some of his (the repatriated POW) greatest problems lie in his social and occupational readjustments, because these have been genuinely interrupted."

THE POW'S SENSE of self-worth has been damaged by this interruption, Schein said. "The repatriate knows he may not be able to perform as well as he did when he was captured. He also knows that, relative to his peers, he has

lost ground, not only because of a lack of learning, but also because of a lack of opportunity to establish himself in an organization."

The Illinois Bureau of Employment Security has assigned six ranking counselors to provide services at Great Lakes Naval Hospital and Scott Air Force Base, Belleville, the two centers in Illinois that will be receiving former prisoners.

Among them is Al Manaster, the employment service's staff psychologist, who said that a low-key approach will be taken towards the men. "I will be depending on each man's individual strengths," he said. "The idea is to let him know that I'm available to work with him when, and only when, he's ready."

In many cases, the returnee will have to face the fact that he will not be able to go back to his former job. Long years of captivity will have left many pilots physically unable to fly, for instance. Worse, the man's other skills may be so dated that they cannot be translated immediately into a civilian job, Manaster said.

MANY COMPANIES HAVE graciously offered to hire returnees (General Electric is willing to take on the entire group), but all offers must be eyed carefully, Manaster said.

As Schein reported, "one of the greatest dangers is that the repatriate will be given jobs that lack real challenge. Long periods of schooling, various kinds of desk jobs, or 'make-work' assignments which will not really make a difference to the (employer), may be rationalized as the right kind of work . . . to permit the repatriate to get his feet on the ground."

In fact, however, the too-easy job offered by the well-meaning employer who wants to "make it up" to the former prisoner must be rejected. Many repatriates will have a genuine loss of self-confidence and will therefore be all too willing to "hide" in such a job, Schein warned.

What is needed, the experts agree, is an understanding employer who will provide a job that allows the former prisoner to try his wings without forcing him into a "premature slak-or-swim situation in which failure is a high probability."

The repatriate must be told about his progress, and if he is upset by positively delivered criticism, he should have the opportunity to work on such feelings with a professional, Schein says. "It should not be the boss' role to try to be the therapist."

"THE STIGMA OF being an ex-POW and the fears which this arouses in others can be overcome if the repatriate is given the chance to prove himself as a contributor to the organization. If he is given too little support, he will sink, but if he is given too much support, he will never have a chance to live down his stigma," Schein said.

Manaster said many of the men will opt to stay in the service. But, no matter where the man eventually works, the task of developing employers who know how to deal correctly with the former prisoner will be one of the greatest challenges faced by the career development program, he said.

All stops have been pulled out to see that these career needs are met.

The government has issued carte blanche to provide the men with funds necessary for training. The rolls of all federal job programs will be opened to them.

Many of the men will find that great amounts of back salary, in some cases in excess of \$100,000, will be waiting for them. The Small Business Administration will be waiting to advise the men on how to avoid the con men who will be trying to profit from this.

CHRISTIAN SCIENCE MONITOR, February 7, 1973

# Wives, mothers briefed on POWs' needs

By Dana Adams Schmidt  
Staff correspondent of  
The Christian Science Monitor

Washington

One of the foremost United States experts on prisoners of war is telling families of Vietnam prisoners that, no matter how strangely their men may act when they come home, what they need most will be the love of wives and mothers.

"So just relax," says William N. Miller, a member of the staff of the Navy's San Diego Center for Prisoner-of-War Studies. "Just give him warm approval. Accept him. Give him time, and he'll adapt to the realities of his new life."

Mr. Miller, a professional psychologist who has studied POWs since the time of the Korean war, has been conveying this message in a film shown by the Department of Defense to hundreds of relatives of prisoners who are expected to be released in a few weeks.

The film has been shown in the last six months by briefing teams organized by each of the armed services. The teams include experts on legal, medical, and financial problems, as well as chaplains and advisers on press relations. The teams have gathered groups varying from 13 to 75 persons including near and distant relatives.

"The best information available in Washington is that the first prisoners will be released 'about Saturday' of this week. This obviously is a delay of several days over what previously had been expected."

Mr. Miller explains that prisoners especially those who have been in captivity for long periods, some up to eight years, have devoted their energies for a long time to learning "how to get by" in a prison environment — mostly things they will have to unlearn, together with the things they must relearn, "to get by in the real world."

## Total helplessness at first

While it is almost impossible to trace a typical prisoner experience because variations are so great, Mr. Miller says a great many begin their time in captivity with a feeling of total helplessness, despondency, and indifference to threats and blandishments. This often is followed gradually by hyper-alertness. "He examines his environment. Where does his food come from? Which of his guards harass him? Which are more understanding? Now he has to evaluate everything in terms of his ability to survive."

In the next stage in his psychological development the prisoner may devote himself to devising ways of killing time. For some this may consist of reliving a pleasant day in the past, a day at the beach, for instance, from the moment when he filled up the car with gasoline through every detail of the day. Or it may for others involve living in the future.

## Another stage

"In this stage, which goes on for years, he takes a great deal of time to dress, studying every detail; he will look forward to and enjoy every moment of the trip to the latrines, which takes him briefly out of his usual environment. If there is any scrap of enjoyable food he will savor it intensively; and he will look forward to sleep. Sleep is welcome above all things, because he just cuts out. His sleep is likely to be dreamless."

When the prospect of release arises, the prisoner's first reaction may be one of disbelief. "He doesn't dare prepare for it, and when it happens, it may find him unprepared."

Mr. Miller emphasizes the importance of "debriefing" to most prisoners. This simply means having a sympathetic, informed person to whom he can recount his total experience. "He has a desperate need to give this to someone. He may never do it again. But he must do it once and fully. Some psychological disturbances later can be traced to the sense that they were not allowed to tell their whole stories when they were set free."

Coming home is a big step for an ex-prisoner. He may feel frightened of confusion, noise, quarrelling, problems. So Mr. Miller advises: "Be patient."

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 NEW YORK TIMES  
 FEB 7 1973 P.8

## Thousands in Back Pay Await P.O.W.'s

By JOHN W. FENNEY

Special to The New York Times

WASHINGTON, Feb. 6—Many of the prisoners of war, upon their release, will find several thousand dollars awaiting them in pay, savings and bonuses that accumulated while they were in captivity.

In a limited number of cases, according to the Defense Department, some prisoners will have a "freedom fund" measured in tens of thousands of dollars in military savings accounts.

Most of the savings come from deductions made in the prisoners' pay while in captivity. In addition, under a 1970 law passed by Congress, each prisoner will be entitled to \$5 a day for every day he was held in captivity.

Throughout the Vietnam war, the Defense Department has followed a policy of continuing to pay the salary and allowances of men captured or missing in action. What was done with the pay depended upon the choice made by each individual before he entered combat.

In some cases, most or all of the pay was sent to the fam-

ilies of the prisoners. In other cases, particularly involving unmarried men with no dependents, the pay, at the direction of the individual, was put by the Defense Department in a special savings account.

Partly to encourage savings deductions by servicemen in Vietnam, the Defense Department established an overseas savings system paying 10 per cent annual interest. About a year ago, the Air Force directed that at least 10 per cent of the pay of Air Force prisoners had to go into the overseas savings accounts.

According to Defense Department records, 79 Air Force officers and men who are either captured or missing in action have accumulated from \$40,000 to \$100,000 in such savings accounts. In addition, 247 have between \$25,000 and \$50,000 credited to their accounts.

The returning prisoners will find out how much money is coming to them when they reach the processing center at Clark Air Base in the Philippines. At that time, they will be given an advance payment to meet their immediate expenses.

Just how much each individual will receive will depend

upon how long he has been in captivity and the decision he made on distribution of his pay while imprisoned. Even if all the pay was slotted to families, however, most of the prisoners will receive at least a few thousand dollars in "captivity bonuses" ordered by Congress.

The 1970 law provided that every United States citizen, military or civilian, would receive \$5 a day for every day held in captivity—\$3 a day for forced labor and \$2 a day for substandard food. The "captivity bonuses" will be paid by the Foreign Claims Settlement Commission.

Since three-quarters of the prisoners have been held for four years or longer, that means that most of the men will receive at least \$7,000 in individual bonuses.

In addition, the men will be paid for the 30-day annual leave they lost while in captivity. Each man will be entitled to 3½ days' pay for each month spent in captivity, so that one year in captivity will add up to one month's pay.

Under a 1972 law, the men will not have to pay any Federal income tax on military pay received while they were in captivity.

NEW YORK TIMES, February 15, 1973

# Returning P.O.W.'s Are Flooded With Offers of Gifts and Other Benefits

By WAYNE KING

Returning prisoners of war are coming home with little public fanfare, but many of them will find an unexpected flood of homecoming gift offers from generous—and, some fear, self-serving—donors.

Across the country, public and private groups and individuals have offered the returning men all kinds of gifts, such as lifetime passes to baseball games, new cars for a year and vacations in Florida for themselves and their families.

Bills pending in Congress and in state legislatures would provide benefits ranging up to \$200 a month for life, tax exemptions, extended medical care and scholarship aid for the men and their families.

The deluge of gift offers from private sources has become so intense that some fear the offers might be inspired as much by public relations as by patriotism.

The Pentagon has assigned men to compile a list of the offers of gift and benefits to be passed out to the men, probably as they leave hospitals where they will receive final examination and medical care.

"A lot of offers of gifts are coming in from companies and private individuals," a Pentagon spokesman said. "Some are coming here, some are coming to the hospitals where the men will be taken."

The spokesman emphasized that the Pentagon listing was not a screening operation. "It will be up to the men whether they want to take part," he said. "The offers are made for a number of reasons, and we [the Pentagon] don't want to put ourselves in the position of

endorsing any of them."

President Nixon has issued a plea that recipients be quiet and tasteful, and that politicians refrain from seeking to capitalize on the homecoming with speeches and celebrations.

In most cases, reports from around the country indicate, patriotic groups and local officials are abating by the requests for relatively quiet homecomings.

Typical of the reaction was that of John Swift of the Massachusetts American Legion. "We are going to soft-pedal the return of these young men," Mr. Swift said. "They need time to themselves and to be with their families, to adapt themselves back into the main stream of community life."

But offers of gifts and bonuses from public and private sources are proliferating. Among them are the following:

• A gold lifetime pass to all major and minor league baseball games, offered by Bowie Kuhn, baseball commissioner.

• An all-expenses-paid week's vacation in Orlando, Fla.—including admission to Disney World and other tour spots—for the men and their families anytime this year, offered by the Orlando Area Chamber of Commerce.

• Proposals by Representative Paul Findley of Ohio to provide from \$30 to \$150 a month for life, depending on length of time in prison, for all P.O.W.'s.

• A Senate proposal would provide \$10 to \$200 on the same basis.

• A proposal by Representative Joseph Maraziti of New Jersey with 18 other sponsors, to provide tax credits of 10 per cent for all Vietnam veterans, 25 per cent for all P.O.W.'s

at 15 per cent for an employer who hires a veteran as a trainee or in an educational program.

Proposals have also been advanced for compensation in the form of disability payments, ranging up to 50 per cent. Others would extend the time period that P.O.W.'s would be eligible for certain medical benefits.

A movement in some legislatures would provide tuition scholarships for the children of P.O.W.'s. Twenty-seven states, including New York, have adopted such legislation, with bills pending in eight others.

Other states are considering various bonus proposals.

In Massachusetts, where each returning Vietnam veteran received a \$300 bonus, the state has incurred a \$16-million shortage and has been forced to call the plan to a halt with some veterans left empty-handed.

In San Diego, the Chamber of Commerce has arranged for free lodging for families of men who will need hospital care there and there are plans for free admission to the San Diego Zoo and other tourist attractions, with taxi companies providing free transportation. Some San Diego merchants, like others around the country, have made offers of gifts to the men.

In New York, proposals were being considered for private receptions and invitations to the city's hotels, theaters and restaurants.

A number of cities were considering free passes to recreational facilities such as golf courses, tennis courts and swimming pools.

# Families Are Warned: There Is No Typical POW

Navy Lt. Cmdr Robert F. Frushman, one of the 12 U.S. servicemen released by North Vietnam in previous years, learned how hard it is to resume a marriage after coming back from a Communist prison. He is now divorced.

In contrast, Lt. Col. Norris Charles, one of the last three Americans freed before the Vietnam cease-fire, believes he came back a better husband and father. "You learn to become very patient," he reflected in San Diego the other day. "Now I watch my daughter break a glass, and I just wonder why she did that, or I see my dog do something, and I think 'Wow, who cares?'"

Different men. Different lessons. Different reactions to an experience that only a relatively few Americans have had to endure.

## Film for Families

Only time will tell how protracted captivity in Southeast Asian prisons and jungle camps has affected the other 585 U.S. military and civilian prisoners of war (POWs) who are to be released over the next few weeks. As military psychologists and psychiatrists have been stressing in meetings with families of war prisoners, there is no typical POW. How a man adjusts to prison and readjusts to freedom depends on many factors—his background, personality, mental and physical health, environment, human relationships, and copious imperceptibles.

The military services, in a campaign code-named Operation Homecoming, are doing what they can to ease the transition from captivity to a society some of the prisoners haven't seen for nearly nine years. In a film being shown to POW families around the country, Government psychologist William N. Miller offers some hints and generalizations distilled from interviews with many OIs who have been released or escaped from Communist captivity.

"Obviously, the clever prisoner, the one who has adapted well, the one who has gotten along year after year, has had to learn behavior which enabled him to get by, but which may not be very appropriate for adjusting in our society when he gets back."

Dr. Miller says the prisoner has become a master time killer, spending hours looking forward to such normal occurrences as eating and sleeping. Much of his time has been spent in Walter Mitty reveries, drawn out, microscopic reconstructions of happy times, and solitary mind games. Some lingering results, Miller predicts, will be a reluctance to make decisions or to be a bother to anybody, and a desire to move back into society very gradually.

Norris Charles

Psychiatrist Charles Ford of Harbor General Hospital in Torrance, Calif., who was coauthor of a study of the psychological effects of captivity on the crew of the Pueblo, a U.S. intelligence ship captured by North Korea in 1968, was blunter last week in an interview with The National Observer's John Peterson.

"The initial reaction of many of these men will be one of relative apathy," he said. "They have learned to turn off their feelings which makes them emotionally dead. The process of being emotionally disconnected may persist for days, weeks after they return. As they come out of this, their tendency will be toward anger and rage—all of the anger and rage that

was suppressed during those years of imprisonment. Much of the anger will be inappropriate and laid on their families. Later the men will be sorry.

"Many of the men will suffer from a lack of impulse control. We'll see some of them doing exactly what they want, what they dreamed of doing. Some will blow all their back pay into government. There will be impulsive marriages. There will be an awful lot of pressure on marriages anyway. The women who waited so faithfully for so long will not find the husbands they knew but, instead, emotionally washed-out men."

Five years after their release, Ford observes, some veterans of the Pueblo incident still have continuing psychological problems, and the Pueblo crewmen were held only 11 months.

## Escaped From Viet Cong

But the Pueblo crew's experience has only limited relevance to what prisoners have experienced in Laos and Vietnam. Koreans and Vietnamese are very different peoples. Moreover, the prisoners in southern jungle camps have suffered far harsher treatment than those in northern prisons.

Nobody knows precisely what these men have endured except those who have lived through it. One who did it Maj. James "Nick" Rowe, who escaped from a Viet Cong prison camp after five years of captivity. He wrote about it in a book entitled *Five Years to Freedom*.

Nick Rowe was no ordinary POW. He survived a kind of mad-made hell that Americans held in North Vietnamese prisons avoided—months spent in lean irons in a four-foot-high cage, a minimal diet that induced and perpetuated a variety of diseases; mind-boggling isolation from fellow countrymen. In December 1968, convinced that his captors were going to take him to another camp for execution, Rowe overpowered a guard, got away, and was rescued by a U.S. helicopter.

## Introduction to Miniskirts

Last week Rowe, now an intelligence officer with the Defense Department, talked about the cultural shock of coming back to a world vastly different from the one he left.

Between November 1963 (President Kennedy was assassinated two days after Rowe was captured) and December 1963 a few weeks before Richard Nixon became President, American society underwent sweeping social changes. "Why, when I left, you couldn't even buy dirty books that could compare with the stuff they were showing on the screen when I came back," Rowe recalls. "The second movie I saw was *Candy*. I had a date that night. She wasn't embarrassed at all, but it embarrassed the hell out of me."

For a bachelor who had seen women only twice in more than five years, reading used to be the "sexual revolution"—especially miniskirt books a while. In the U. Minn. Forest, where Rowe spent most of his captivity, the grind of day-to-day survival suppressed sexual desire. "Sex is at the bottom of the list of needs," he says. "You get tired of even thinking about it. The main interest is food—second only to freedom. You get a fixation on something. My fixations were Pepsi Cola and a Crunchy peanut-butter and strawberry-preserve sandwich."

Ironically, for some repatriated prisoners sustained for years by a bland diet built around rice, eating is a lingering problem. In the jungle, Rowe caught everything from beriberi to fungus infections, and wound up with the floor of an intestine destroyed.

"I still eat rice two or three times a week because I can absorb it," he says. "But milk goes right through me. So do

eggs fried in grease, and ice cream. It's not that bad, though; I've got an indoor latrine now."

The psychic wounds of captivity can be as deleterious as the physical ones. "You get nightmares. I'll wake up in a cold sweat, reliving some incident in a dream. But I'm getting to the point now where I can almost stop it as soon as it starts, like stopping a movie projector in midframe, and say, 'Hold it, this is a dream; I'm not there anymore.'"

Nick Rowe has been more fortunate than most POWs. He returned as a hero, got a big advance for a book, married a former TV actress, and settled down in a house on a big shady lot in fashionable Potomac, Md. Today he can look back on his five years as a prisoner and say that he's a better man for it.

"I wouldn't go through those five years again, but I wouldn't trade the experience for anything. I've got more potential now than I ever had before. You are sort of insulated here, because you look at only what you choose to look at. You can avoid everything that's distasteful. Here, you've got too many material things to hang onto, and to depend on.

#### Thanking the VC

"The VC will never realize how much I thank them for taking everything material away from me, and reducing me to the point where I didn't have anything but faith in God. I had a chance to look at myself and realize that you can do things you never imagined were possible.

"After dealing with absolutes in prison camp, you find that there's a lot of pure, trivial BS back here, and that a lot of people get in a storm over things that just aren't really important. Frustration here is not being able to get your car started in the morning. Since I've been back, very little upsets me."

But even the lucky ones, like Nick Rowe, never will be able to purge the memories. "There's going to be a lot of trauma when these men come back," he says. "They are going to carry some of these things with them a long time. There are things in me right now that I'll never tell anybody, because it's nobody's business but my own."

TIME, February 19, 1973

## The Psychology Of Homecoming

AS the nation prepared to welcome the first of its returning prisoners of war, both military and private psychologists warned that the prisoners would be suffering from invisible wounds that may take years to heal.

According to Clinical Psychologist Charles Stenger, planning coordinator of the Veterans Administration P.O.W. program, the fact of imprisonment has a psychological impact that is "tremendous—an extreme and prolonged stress." This starts at the moment of capture. "That shock is about the most overwhelming, stupendous experience that can happen," says William N. Miller, a psychologist at the Navy's Center for P.O.W. Studies in San Diego. "No one who has not been totally at the mercy of other human beings can understand it. It brings a feeling of total helplessness and then a fantastic apathy."

Filled with guilt, concerned only with physical survival, the prisoner often becomes obsessed with trivial rituals and trivial goals. For instance, says Stenger (a prisoner himself during World War II), "it is routine to spend hours folding a blanket, because it is one of the few things a guy can do from which he can get a feeling of effectiveness if he does it well." USAF Major Fred Thompson, once a P.O.W. in Viet Nam, recalls devoting hours to an effort to train the ants in his cell to fetch crumbs. When that failed, he began building a dream cottage in his head, board by board, brick by brick.

**Zombie.** Another problem is what Manhattan Psychoanalyst Chaim Shatan calls the emotional anesthesia of captivity, a kind of psychological numbing that deadens feeling. Explains Los Angeles Psychiatrist Helen Tausend: "Many prisoners learn to cope with their situation by setting up low-key reactions in themselves—a kind of little death to save themselves from a bigger death." Back in the outside world, they often display a "zombie reaction"—apathy, withdrawal, lack of spontaneity and suppression of individuality. The symptoms often disappear quickly, but Shatan estimates that they can easily last three years. To a certain extent, he says, "You never get over it."

Recovery is a difficult process. One reason: culture shock. First, explains Stenger, "The P.O.W. has become partly acclimated to Vietnamese culture, which is much more inner, self-oriented and passive than ours." Then comes the confusion of return to a changed world. As Psychiatrist Tausend expresses it, a returning prisoner is "like a man coming out of a dark room." By way of illustration, Iris Powers, chairman of a P.O.W.-MIA committee, recounts the

experience of Army Sergeant John Sexton. Released by the Viet Cong in 1971, Sexton had never heard of Women's Lib, miniskirts or unisex. "When he went into a shop for some clothes and saw a girl buying from the same rack—it was a unisex shop, and she was buying pants with a zipper up the front—he just walked right out again."

Even stable marriages will be subjected to stress when husbands return. In captivity, says Tausend, many a prisoner idealized the woman he would come home to, cherishing "an impossible dream in order to survive." In most cases the dream will crumble.

The focus of such problems may be sex; some wives fear that they may be frigid for a while, and psychiatrists warn that some husbands may experience temporary impotence. Some wives feel as if their imprisoned husbands had

willfully abandoned them; younger women especially, reports P.O.W. wife Jane Crumpler, "are so bitter, they resent having wasted youthful years." Other wives may have difficulty simply because of their prolonged deprivation. Admits one: "I don't know if I can be a wife to him again, I've had that bed all to myself for such a long time." Says another: "We've both been in prison."

Summing up, UCLA Psychiatrist Louis West predicts that "if people had a good sexual relationship before, they will be able to re-establish it quickly—provided the same bond of affection exists. Where the relationship was fragile to begin with, it will be ruptured beyond repair."

In many cases, the bond between husband and wife will be easier to restore than that between father and child. P.O.W.s, says one psychiatrist, will be coming home not only to children who do not know them but, worse yet, to children who do not like them. According to Tausend, "Small children may be frightened of their fathers at first, especially of those who are overwhelmingly enthu-

siastic," while "older ones who have idolized their father without knowing him may be disillusioned. Here comes the great daddy hero, and he turns out to be a human being who is grumpy and weak."

To reduce the impact of all these problems, Department of Defense psychiatrists and psychologists began briefing P.O.W. families three years ago (TIME, Nov. 6). The advice of the experts seems to boil down to six rules:

1. Do not belittle a P.O.W. if prison-induced habits persist. Long deprived of shoes, beds and chairs, some returnees may at first have trouble tying their shoelaces, may choose to sleep on the floor and squat rather than sit.

2. Be open about feelings. "Isolation comes when we pretend that everything is all right if we are really feeling strange," Psychologist Stenger warns.

"What would be most damaging for these people is not to know where they stand."

3. Do not try to distract a prisoner or take his mind off what has happened to him. Explains West, "In a relaxed setting, with a few friends, the returnee will want to talk about his experience—relive it, almost—little by little."

4. Do not treat a former P.O.W. as mentally ill, because he is not. "He has learned to adapt to an extremely threatening environment, and that takes a pretty well-organized individual," Stenger believes.

5. Do not treat a returnee as a hero because, says West, he does not consider himself one and will feel worse if complimented. The reason, he feels guilty for surviving while other men, perhaps braver than he, died in combat.

6. Give the returnee the privacy he needs to sort things out. It is important, urges Atlanta psychiatrist Alfred Messer, not to ask P.O.W.s to make speeches or submit to interviews prematurely. "You've just got to give him a chance to get his head on straight."

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VI. RELEASE OF THE PRISONERS OF WAR

WASHINGTON POST

FEB 10 1973

# Prisoner Release To Begin

## 1st Group To Be Freed On Sunday

By Michael Geller  
Washington Post Staff Writer

The long-awaited initial release of U.S. prisoners of war will take place Sunday night, Washington time, with about 115 of them to be released in Hanoi and 27 more to be freed by Communist forces in South Vietnam, the Pentagon announced yesterday.

The number of men to be released is approximately one-fourth of the 562 men the Communists have acknowledged holding in North Vietnam, South Vietnam and Laos.

Under the terms of the Vietnam cease-fire agreement signed in Paris Jan. 27, the POWs are to be repatriated in roughly equal installments, about 15 days apart, over the same 60-day period from the signing of the cease-fire during which all remaining U.S. troops in South Vietnam are withdrawn.

Pentagon spokesman Jerry W. Friedheim said that some "sick and wounded" men would be among the first batch of returnees from captivity in the North, though as of late yesterday the Pentagon said it still had no list of names of the prisoners in the first group.

Even for those who do not require immediate medical treatment, it will still probably be close to a week before they are back in the United States.

Big Air Force C-141 medical evacuation jets are standing by at Clark Field in the Philippines to make the three-hour trip to Hanoi.

They will take the men directly to the hospital facility at Clark where the returnees will get physical check-ups, be brought up to date on their personal affairs, make telephone calls to their families, and be questioned for any clues concerning the fate of some 1,328 other servicemen still listed as missing in action and whose names have not showed up thus far on any Communist prisoner list.

The fastest any man is expected to get through the Clark processing center is about four days.

The release of the prisoners in Hanoi will take place while presidential adviser Henry A. Kissinger is in the North Vietnamese capital for talks with Communist leaders on maintaining the cease-fire and on postwar relations.

Three hours before the scheduled release time, an 18-man team of U.S. officials will be flown into Hanoi's Giap Airport to assist in receiving the men.

Friedheim said the exact timing and other details of the release would be worked out today at a meeting of U.S. and North Vietnamese officials in Saigon. A team of officials from the four-power International Commission of Control and Supervision will also land in Hanoi to observe the POW hand-over.

Release of the POWs on Feb. 11—which is Feb. 12 Hanoi time—will come exactly 13 days after the peace accords were signed in Paris. The North Vietnamese announcement on the POW release described it as involving one-fourth of the men held in the North which Friedheim said was equivalent to about 115 men.

The Paris agreements provide that under some conditions the men held longest in captivity will be among the

first to be released, but this was also not certain as of yesterday. Many of the U.S. POWs have been held for five to eight years, longer than any in American history.

The release by the Vietcong in South Vietnam of the 27 U.S. POWs will take place at Quanloi airfield near Anloc, about 65 miles northwest of Saigon near the Cambodian border. The area was the scene of one of the bloodiest battles of the war last year.

These men will either be flown by helicopter to Saigon and from there immediately to Clark aboard special C-9A medical evacuation jets, or the jets may go directly to Quanloi if the airstrip is suitable. The turnover at Quanloi will also be observed by the ICCS.

Aboard each medical evacuation jet will be five-man Defense Department teams of medical personnel, military escort officers and a public affairs representative.

The planes are fitted with seats and stretchers.

It was not clear at the Pentagon yesterday whether the 27 men to be released in the South would include any of

the 29 civilians also acknowledged to be held in prison camps (26 in South Vietnam and three in Laos).

Of the 562 U.S. POWs the Communists say they hold, 436 are in the North, 99 in the South and seven in Laos. The Pentagon says it still has no more information from the North Vietnamese concerning the very short list of POWs held in Laos, where more than 300 others are listed by the United States as missing.

After processing at Clark,

the men will be flown across the ocean in the C-141s to Travis AFB, Calif., and from there on to whichever of 31 service hospitals is closest to their homes. At these local hospitals most family reunions will take place, though the Pentagon will fly families of men whose condition requires a longer stay at Clark to the Philippines.

The Air Force yesterday said the public will not be allowed access to Travis to greet returning POWs.

WASHINGTON POST, February 13, 1973

# 143 POWs: An Emotional Return to Freedom

By Don Oberdorfer

Washington Post Foreign Service

CLARK AIR BASE, The Philippines, Feb. 12—One hundred forty three American prisoners returned from years in the hands of North Vietnam and the Vietcong today in a dramatic and often emotional finale to America's longest war.

Some blinking, some waving, some grinning and saluting smartly, they came off big U.S. Air Force medical evacuation jets onto the tarmac at this vast American military installation, the first stop on their way back home.

They left behind in Communist POW camps 431 additional Americans who are

scheduled to be released at approximately 15-day intervals between now and March 27.

In deference to the fragile health of some of the returning men and in keeping with the ambiguous circumstances of the outcome in Indochina, there were no bands or victory parades and a bare minimum of official ceremony.

The men themselves, some of whom began the day in Hanoi's Hoalo prison camp and some in a Vietcong forest camp in the South Vietnamese border region, made the return to U.S. custody an unforgettable occasion.

Only four—three from the North and one from the South—had to be carried off the aircraft here in litters. All the rest walked or hobbled off virtually unaided and stepped across a crimson carpet to waiting buses for the two-mile ride through the roadways of this base to the U.S. Air Force hospital. There they will remain for three days or more of medical evaluation and administrative processing before flying across the Pacific to military hospitals in the United States.

One returning prisoner, Richard G. Waldhaus of Pittsburg, Calif., elected to enter the U.S. Third Field Hospital in Saigon rather than be transferred here for treatment and processing with the

others. A former soldier, Waldhaus—one of 8 civilians released in the first group—had been captured in August 1971 while on a personal visit to the war zone. Until the Vietcong radio mentioned his name in a broadcast a year later, neither his family nor U.S. authorities even knew that he was missing.

Considering their long and in many cases harrowing ordeal, most of the POWs at least superficially appeared to be in surprisingly good physical condition. A few, however, moved with slow, almost mechanical motions which seemed to betray the effects of years of confinement.

The returning prisoners from North Vietnam, nearly all of them Air Force and Navy officers whose aircraft had been shot down during bombing raids, wore grey-green shirts, blue trousers and new black shoes which they had been given within the last day or two by their captors.

They boarded the repatriation aircraft in Hanoi and emerged from the big jets here under the leadership of the three senior officers among them, each of whom made brief statements of tribute to President Nixon and the nation whose colors they serve.

Navy Capt. Jeremiah A. Denton Jr. of Virginia Beach, the first of the returning POWs to step off the plane at Clark, gave Adm. Noel Gayler, commander-in-chief of the Pacific forces, a salute and firm handshake. Then he turned to a microphone:

"We are happy to have the opportunity to serve our country under difficult circumstances," he said. "We are particularly grateful to our commander-in-chief for his support to our nation for this day." Then, choking up, he said: "God bless you."

He stepped onto the runway, next to the men and other officers who greeted them at the bottom of the ramp. They also saluted the flag and gave jaunty thumbs-up gestures of delight at being freed.

The electric enthusiasm and familiar gestures of the men from the North—as well as their seeming hunger for human contact with their fellow citizens—generated powerful emotions among the several thousand American servicemen and dependents lining the airport ramp and the roadways of this base. There was nearly continuous cheering, waving and applauding. Some tossed roses and other flowers at the slow-moving ambulance buses. Many people wept.

The arrival of the 10 military and 6 civilian prisoners of the Vietcong several hours later—well after dark here—presented an extreme contrast in circumstance and mood. Wearing the high-neck "pajama suits" and rubber sandals that they had been given in the jungles rather than the U.S. hospital garb they had been offered on the medical evacuation plane, hardly any of them saluted. With a few notable exceptions, most of these men were far less demonstrative and their gestures far less familiar.

Gaunt, sometimes stooped, most of them seemed gentle and vulnerable, and with their close-cropped hair, nearly as asexual and exotic as a group of Buddhist monks. The crowds had thinned out. There was less emotion. Close onlookers appeared fascinated but puzzled.

The 16 returning prisoners from North Vietnam were taken from their prison compound about 7:30 a.m. to a staging area not far from Hanoi's Gia Lam airport. According to escort officers who met them later, the POWs could see the big Air Force C-141 Starlifter evacuation planes, with the American flag and big red crosses on the tail section, as they began landing for the pickup shortly before noon.

Under a gently flapping green canvas canopy in an airport plaza enclosed by a low ornamental fence, U.S. officers of the advance support team met in late morning with North Vietnamese officials around a small table covered with a white tablecloth to make arrangements for the prisoner transfer. Lt. Col. Nguyen Phuong and his aide-interpreter, wearing high-necked

brown North Vietnamese army uniforms and carrying pith helmets, faced Col. James R. Dennett, chief of the advance party, and public affairs officer Col. A. J. Lynn, in Air Force blues and their U.S. Army interpreter.

Phuong outlined the arrangements for the prisoner release and produced a ledger which contained the name of each prisoner being returned in the first installment of the 60-day repatriation plan set by the Jan. 27 cease-fire agreement.

After some discussion, Phuong and Dennett each initialed the appropriate pages of the ledger. Dennett signed a short statement, amounting to a receipt, which said the transfer was being carried out in accordance with the Paris agreement.

Shortly thereafter, the evacuation jets began landing at 30-minute intervals and North Vietnamese buses began pulling up with the American POWs, some 20 men to a bus. Each group dismounted under the supervision of the senior American on board, who formed his men into two files of 10 men each. The POWs entered the fenced enclosure, and each passed by the table at his name was called and moved to the American side, usually saluting the first United States military officer he saw. The POWs were then greeted by American escort officers assigned for this purpose, who walked with them to the waiting evacuation plane.

While standing at attention waiting for their names to be called, several of the prisoners smiled and waved at their fellow Americans who had arrived on the scene. Once they crossed to the U.S. side and particularly after boarding the aircraft, their faces brightened and their demeanor changed to what was later described as "pure joy."

"After we got onto the airplane and closed the doors, there was a huzzing of each other and huzzing of nurses and a tremendous elation on their faces," reported Lt. Col. Richard Abel.

the Air Force public affairs officer on the first of the three evacuation planes. He added that there were "tears in some eyes, yes, but they were certainly tears of happiness."

The first evacuation aircraft carried all 29 of the Americans who were classified by the North Vietnamese as "sick or wounded," including some said to be suffering from kidney infections, ambulatory disorders and old injuries which have not healed. Three of the Air Force men aboard this plane—Capt. Thomas J. Klomann of Oak Forest, Ill., S. Sgt. Ray Madden Jr. of Hayward, Minn., and T. Sgt. James H. Cook of Wilmington, N.C.—were litter patients. All three were shot down during the intensive bombing raid ordered by President Nixon in late December.

On the second evacuation craft, one returning POW looked back at another and said, "You believe now?" He had his thumb up in the first Air Force salute. His first POW neighbor had his thumb up in return and responded, "I believe."

On the third plane, the first of the returning patients were stretchered, and apparently delighted by the perfume being worn by the litter nurses. The escort officers who had flown in from Clark were hardly aware of the scent but the POWs who had not smelled anything like it in many months cried out "Aow!"

As the wheels of each aircraft lifted from North Vietnam, a tremendous cheer went up from the men on site. Despite advance instructions by some military doctors here that smoking should be discouraged, cigarettes were smoked and lit, and then, they talked and talked and talked and talked some more," reported one observer.

Some returning POWs had stowing over copies of the service newspapers, Stars and Stripes, Time and Newsweek magazines, and even at least one of the aircraft—a copy of Playboy which had been smuggled aboard by an attendant. Some of the men were taken aboard by Playboy's famous model, having seen

nothing akin to that in a long, long time. "Don't worry," responded one member of the escort crew, "we're shocked by it too."

Winging through the skies over Indo-Chinese soil, where some 7 million tons of U.S. bombs were dropped during the war, the returning men began to discuss the reception that awaited them at Clark field.

On the first aircraft, which contained many of the longest-held Americans, Capt. Denton, the senior man among the POWs on the plane, made a little talk over the loudspeaker system. Adm. Gayler would be waiting at Clark and so would an all-service color guard, he said. For his part, he planned to salute the admiral and to salute the flag.

He did not say what anyone else should do, but his suggestion was clear, and it was generally followed. The returning men were also informed that a large contingent of press and live television cameras would be on hand.

When the plane pulled to a stop at Clark about 4:20 p.m. (3:20 a.m. EST), Denton was the first man off, and after seven and one-half years in confinement his almost ghostly prison pallor was a shock to many of those watching at the scene.

Lt. Cdr. Everett Alvarez Jr. of Santa Clara, Calif., who has been in captivity since the Tonkin Gulf retaliatory raids of August 1964 and was the longest-held prisoner in the North, stepped out next. He had a wan smile and before boarding the bus for the hospital, managed a little wave.

One after another, the rest of the men disembarked, saluted, waved and walked or shuffled to the buses. There were thumbs up signs and a few two-finger peace signs. One man kissed a nurse at the door of the bus. A few saw friends in the crowds. On the buses heading to the hospital, some men embraced one another. A few went

Along the route taken by the buses, servicemen, dependents and some of the Filipino employees of Clark Air Force Base were gathered in clusters,

cheering and waving. Air Force maintenance men in fatigues stood at attention and saluted the bus. Four or five blacks gave clenched fist black power salutes. Children were held on the shoulders of parents, and when the bus stopped at the hospital, a Filipino woman presented her baby to be hugged by a POW through an open window of the bus.

From the hospital roof, expectant mothers in their maternity robes waved to the arriving men. They were joined by white-jacketed medical corpsmen, some wearing surgical masks around their necks as if they had interrupted a session in the operating room to welcome the newcomers. One patient had stripped the pale green sheet from his bed and waved it at the returning prisoners.

Inside the hospital the men were escorted to their rooms for cursory medical evaluations before supper. Despite advance indications that men would be given bland foods for their first few meals, many asked for and were given hearty dinners in the hospital cafeteria or in their rooms.

"Steak and eggs were the biggest attractions," said Maj. Marian Fortune, the hospital dietitian. Many of the returnees clustered around an ice cream sundae bar near the entrance to the cafeteria. "They loved it," said the dietitian. "Many ate ice cream in the line before they got their main dishes."

After dinner, the returning POWs met their assigned "escort officers"—in many cases old service friends—who will stay with them until they fly to Travis Air Force Base for transfer to one of 31 military hospitals scattered throughout the United States. If there was bad news about the family at home to tell, this was a time to break it to the POWs. Within a few minutes, the returning men began making their telephone calls home.

Defense Secretary Elliot L. Richardson in a message of welcome sent to the returnees at Clark, pledged that U.S. officials will not rest until all

those still known captive are safe and until we have achieved the best possible accounting for those missing in action."

While all this was taking place at Clark, American prisoners of the Vietnam were being released at Lock Ninh in the Cambodian border region after a long day of delays due to a dispute involving Communist returnees.

On the flight from Saigon's Tan Son Nhut Airport, Capt. Evelyn A. Strobel, a 33-year-old nurse from Arkansas, was a center of attention for some of the men. Others chatted among themselves or with their military escorts, and several snapped up the magazines that had been placed aboard.

Marine Maj. Chester Hanson, the accompanying military public affairs officer, said one of the POWs spotted a 1973 model automobile in a magazine and said, "That is the one for me."

The men were offered military hospital robes while flying to Clark, but they preferred to wear the pajama-like clothing and rubber sandals which had been provided by their captors. According to Hanson, some said they wanted to wait until they could get a shower at the hospital before changing robes.

It was 11 p.m. when the aircraft carrying them touched down at Clark, but the disembarkation area was brightly lighted to facilitate live television coverage.

Maj. Raymond C. Shrum of Tomahawk, Wis., a Green Beret officer who was captured 4 1/2 years ago while trying to recover the body of a South Vietnamese soldier, was directed to the plane's microphone by Adm. Gayler.

"Thank you admiral. It has been a long time. I want to thank each and every one of you for such a very, very fine welcome," Shrum said before walking to the bus.

Several of the men wore crosses, apparently homemade, on chains around their necks. One wore a hand-fashioned peace symbol which appeared to have been created in the jungle from bamboo. In the glare of the floodlights, this strange-looking group shook hands with Gayler, Lt. Gen. William Moore Jr., commander of the 13th Air Force, and an Air Force enlisted man who met them at the ramp. Frank A. Sievert, the State Department's expert on prisoners of war who was also in the receiving line, put his arm around some of the men and helped them into the bus.

Chief Warrant Officer James R. Hestand of Oklahoma City, the last of the former prisoners to walk down the rear steps of the aircraft, turned toward the press stands, grinned broadly and waved his arms as if in triumph.

Capt. David E. Baker of Huntington, N.J., an Air Force pilot who went down last June over Cambodia, was lifted out of the side of the hospital plane on a litter. As he was carried to the bus, he waved his arms joyously.

During the lengthy parade of returning aircraft and returning men, hardly anything was said in public by any of the former POWs or the public relations officers about the long conflict in Indochina. Some of the returnees, nevertheless, were interested in discussing it.

Aboard one of the flights from Hanoi to Clark Field, several of the former prisoners showed great fascination with the question of who won the war in which they had been engaged. The State Department's Sieverts, who was on board, assured them as simply and succinctly as he could that South Vietnam did not lose, and North Vietnam did not win.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, February 19, 1973

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PRESIDENTIAL DOCUMENT

## American Prisoners of War in Vietnam

*Statement by the President on the Return of the First Group of American Prisoners. February 11, 1973*

As the first group of Americans held as prisoners of war in Vietnam arrives home, the whole Nation would like to be there to welcome them back to the country they have served so well.

Let us remember, however, that this moment belongs above all to the returning men themselves and to the families waiting to welcome them. We can join most fittingly in that welcome not with fanfare, but with quiet respect for their fortitude in the ordeal that is now ending and for their privacy in the time ahead.

On the Veterans Administration Building in Washington are the words of Abraham Lincoln, whose birthday we are about to observe, reminding us of our obligation "to care for him who shall have borne the battle." Let us mark this special Sunday with a prayer of thanks for all who have borne this battle—and have made peace with honor possible. And let us resolve anew to be worthy of the sacrifices they have made.

NOTE: The statement was released at San Clemente, Calif.

# 20 More POWs Released, Reported 'In Good Shape'

CLARK AIR BASE, The Philippines, Feb. 18 (AP)—American military service men and airmen rescued 20 prisoners of war from a North Vietnamese prison camp today.

The next group of about 20 prisoners will probably be rescued on schedule in about a week, according to a South Vietnamese spokesman at Saigon quoted by AP. "We think that the re-

turn of the prisoners of the second phase will be carried out normally in the second half of the year," the spokesman said. Lt. Col. Gar Tibbitts said.

At Clark Air Base, about 1,500 persons lined the runway and cheered as the military plane stepped from "near CMH Starliner jet onto a red carpet.

Their early return, the second POW release since

the Vietnam cease-fire, came ahead of schedule as a 200-ft. military plane by the North Vietnamese. Handicrafts and they wanted to participate for last week's four-day visit by Henry A. Kissinger, President Nixon's national security adviser.

"We're mighty glad to be here. It's been a long time," said Capt. James Glenn Pirie, 29, of Tuscaloosa, Ala., and Lemoore, Calif. "Seeing the American flag over here

defies description in my emotion."

Pirie, who was captured in 1967, was the ranking officer among the returned prisoners and made a brief arrival statement on their behalf.

"We're proud to be American, we're proud of our commander in chief, President Nixon, and we're proud of the American people who have supported us over the years," he said.

There was a last-minute switch on the roster, adding one prisoner, whose father is seriously ill with a heart condition, in place of another who had been on the previously announced list.

Navy Lt. James Bailey of Kosciusko, Miss., was put on the flight in place of Navy Lt. Robert F. Wideman, who was left behind in Hanoi.

None of the freed POWs was a stretcher patient, and they all walked off the droop-winged transport jet after it landed at 3:31 a.m. EST.

The crowd on hand to greet them was larger than the one that met the 142 prisoners who returned here last Monday. Greenery held scores of signs, ranging from "Jesus Loves You" to "Welcome home James Glenn Pirie from the Heart of Dixie, Alabama." The sign addressed to Pirie was held by an Alabama woman who said she had known him in Tuscaloosa.

Children who lined the front rows of spectators cheered and chanted

"Welcome home" as the men got off the plane and walked down the red carpet.

One returning POW, overcome with emotion, buried his head in the shoulder of Vice Adm. Damon W. Cooper, the commander of Task Force 77, who was on hand to greet them officially.

"They seemed in a lot better shape than the ones that we brought the first time," said Lt. Col. Richard Abel, an information officer who accompanied the flight. Physicians aboard the evacuation plane said all 20 men "are in good shape," Abel added.

Col. Emil J. Wenzel, another information officer in Hanoi to pick up the prisoners, said that when the prisoners were turned over to American authorities, they saluted the senior U.S. officer and said "Reporting for duty sir."

"They were reserved while they approached the aircraft, but once they got on board there were huge handshakes, and they slapped each other on the back," Abel said.

The men cheered when told the plane had left North Vietnamese air space, he said.

One of the prisoners, Air Force Maj. Joseph S. Abbot Jr., was handed a copy of last week's Time magazine—whose cover picture showed Abbot's wife, Joan, and their seven children at home in Alloway, N.J., with a sign saying, "Welcome home, daddy." They were the focal point of a Time story on returning U.S. war prisoners.

He sat there for 13 or 20 minutes reading that magazine," said the escort officer who gave him the magazine. "Some details he said he had not known. He hung on to the magazine as he got off the plane."

All the POWs freed Sunday were Navy and Air Force fliers captured in 1966 and 1967. They bring to 141 the number of Americans freed in North and South Vietnam since the cease-fire agreement was signed in Paris Jan. 27.

The Communists are still holding 407 U.S. servicemen and 21 American civilians in South and North Vietnam and Laos. They are to be released in three more groups, the last of which is to be set in March.

NEWSWEEK, February 26, 1973

# HOME AT LAST!

*Everything was meticulously planned. The plane would land, the waiting brass would snap to attention, the men would disembark and proceed through an orderly reception line. But when Air Force Maj. Arthur Burer and four other returning POW's arrived at Andrews Air Force Base, it didn't quite work out that way. At the first sight of her husband, Nancy Burer shrieked with happiness and—with*

*her children in her pursuit—strealed across the tarmac. She leapt into his waiting arms, and he lifted her up in a bear hug embrace and gleefully whirled her around and around.*

They were home at last. The first American prisoners of war released under the Vietnam peace agreement walked into a new world in the cheers of their countrymen and the pious greetings of their families. They had not only survived, in a trial that defied the imagination, but they emerged from their years of torment with a strength and a spirit that surpassed even the wildest expectations of their families, the military and the nation. Throughout

the land, their homecoming touched off a surge of national pride and a burst of uninhibited emotion. The prisoners' return and their courageous bearing seemed to give America a new sense of hope—hope that these impressive men who had become the symbols of American sacrifice in Indochina might help the country heal the lingering wounds of war. "We want very much to

get on with the business of peace and reconstruction here," said Secretary of State William Rogers in Washington, his eyes brimming and his voice breaking. "I can't think of anything that gets us off to a better start than to watch these returning POW's. If that doesn't make America proud, then I don't know what will."

The country's official welcome for the returnees was to have been a low-key affair. As the Pentagon planned it, the men were to be whisked into virtual isolation, cushioned against the shocks of "re-entry" and the questioning of an eager press corps (THE STRIP, page 33). But there was no blocking back the nation's enthusiasm for greeting the POW's—or the men's eagerness to re-

join their families. By the end of the week, days ahead of schedule, all 143 returnees in the first group had been flown to the States—and the homecoming headquarters at Clark Air Force Base in the Philippines had already rolled out the red carpet for a new batch of twenty prisoners to be released ahead of schedule by Hanoi as a goodwill gesture.

After months and in most cases years of enforced deprivation, the POW's reveled in human contact and sought maximum exposure to the sights and sounds of real life. They wanted to hug and touch and laugh—and learn as much as they could about the world they were rejoining. From their first moments of freedom, they asked anyone they could buttonhole about everything from sports to women's lib. Many of them, too, wanted to know who had won the war. Their official escorts had a carefully rehearsed reply: "South Vietnam didn't lose and North Vietnam didn't win."

## A Surge of Admiration

This was one of the few sobering notes in a week of nearly unrestrained euphoria. Amid all the cheers and tears of joy, it was almost possible for a moment to forget the 43,943 other Americans who had lost their lives in Vietnam and 1,334 more who are still listed as missing and unaccounted for. The battle that still raged in the face of a supposed ceasefire (page 33) suddenly seemed very much farther away. And the domestic divisions between hawk and dove were blurred in a surge of admiration for a group of men who had endured their long ordeal by displaying what often seem the old-fashioned qualities of discipline, mutual loyalty and unyielding determination (page 21).

The POW's emerged from captivity in remarkably good mental and physical shape, but they still faced the delicate process of getting to know their families all over again and relearning normal life. For the time being, they were far too thankful for freedom to dwell on its difficulties. Virtually from the moment of their release, the men seized every opportunity to express their appreciation to their families, their country and their President. Even before the first plane had left Hanoi, Air Force Capt. Galand Kramer flashed a hand-fashioned cloth

sign reading "God Bless America and Nixon." At Clark, while other POWs telephoned their families, Air Force Col. Robinson living took the occasion to call Mr. Nixon. "Mr. President," said Buser, "all of the men would like to meet you personally to express their gratitude for what you have done. You will have our support for as long as we live." The President, who had stayed up through the night to watch the telecast of the men's arrival at Clark, availed Buser that he was equally eager to meet the returnees and "express gratitude on behalf of a vast and the American people for your sacrifice." And though he had pledged there would be no hoopla from the White House over the POW return, he could not contain his enthusiasm. As he later told Teamsters union leader Frank L. Stinson, "I was never prouder to be an American."

### 'Years of Happiness'

At the start, the long-awaited airlift to bring the returnees home was delayed by rain and fog in Hanoi, but once the three lumbering C-119s touched down at Gia Lam airport, that end of the release came swiftly. Shuttled from the weather by a canopy made of green parachute silk, U.S. and North Vietnamese officials sat at a wooden table draped with a crumpled cotton cloth. Nearby, the prisoners assembled in tight formation and watched as the officials signed each page of a POW roster. A North Vietnamese officer barked each American's name over a bullhorn and the 116 returnees scurried to the table, and then in a move signifying repatriation—strode past it. "In some cases, when you came forward to help them," said a crew member, "they'd grab your hand. They had a tendency to clutch your hand once they got you." For some ex-prisoners, the process of readjustment to the outside world began at the moment they met the air crews. "I told one guy that Miami won the Super Bowl," said a pilot, "and he said, 'What's the Super Bowl?'"

Once on board the airplanes, the returning men adapted quickly to their newfound freedom. "I had 10 tizers on board," said one flight officer. "There was hugging of each other and hugging of nurses and a tremendous elation on the t-t-t-t-t," added another. "Tears in your eyes, yes, but they were certainly tears of happiness." The men warmed about the jets and cheered wildly both on takeoff from Hanoi and again when the flight crossed North Vietnam's border. They savored the entire supply of cigarettes on board and pored through

the newspapers and magazines—including on one flight, a copy of Playboy, which, as one official put it, "had some men looking rather stricken." Understandably, the flight nurses on board received no small amount of attention—and kisses. "Wow, smell that perfume," exclaimed one POW, while another chuckled, "My chromosomes may have moved around but they're still in my body."

Long before the first of the trio of jets landed at Clark, a crowd of about 1,000 had gathered around the reception area—waving banners (one, lettered in red

opened). A gaunt, pale figure with tousled salt and pepper hair stood at the top of the ramp. His face was drawn. For a moment it appeared that the officer—Navy Capt. Jeremiah Denton, the highest ranking POW on the flight—was unable to comprehend what was happening. But as he stepped easily down the ramp, a wide grin broke over his face and he snapped off a salute to the welcoming party. He moved to a microphone. "We are honored to have had the opportunity to serve our country under difficult circumstances," said the 48-year-old officer, a prisoner for nearly eight years. "We are profoundly grateful to our Commander in Chief and to our nation for this day." He paused for a second, then added in a voice quavering with emotion, "God bless America."

For the most part, Denton's fellow passengers, and those on the two planes that followed, were among the first Americans captured by the North Vietnamese. Of the group, 98 had spent more than six years in Communist prisons and two of them—Navy Lt. Comdr. Everett Alvarez, the first pilot captured in the north, and Lt. Comdr. Robert Shumaker—had been held more than eight years. But while the POWs looked uniformly pale and most had lost weight, they maintained a correct military bearing—and flashes of individuality. One man, Navy Lt. Comdr. Edward Davis, even brought an unauthorized friend back from Hanoi—a wriggling, tan puppy named Ma Co given to him by a prison guard two months ago. Rules or no rules, the military let him keep the dog.

### 'Somebody Pinch Me Quick'

That was not the only rule that was hedged. Despite the official ban on boisterous celebration, crowds at the base seized every opportunity to cheer the returnees—and the POWs loved it. As the men were bused to the base hospital, scores of people ran alongside clutching at the prisoners' outstretched hands, and women tossed bouquets of roses and the sweet-smelling sampaguita, the national flower of the Philippines. Air Force Capt. Larry Chesley, a prisoner in North Vietnam for nearly seven years, could hardly believe what was happening. "Fantastic, just fantastic," the 34-year-old fighter pilot shouted to the throng as the tears rolled down his face. "All you wonderful people, all our dreams come true. Somebody pinch me quick before I wake up and find out it's all a dream."

For another group of POWs returning from Viet Cong captivity, however, there was one last tormenting ordeal before the dream came true. The 27 returnees from the south—nineteen soldiers and eight civilians—were marched into the broiling sun in a clearing on a rubber plantation near Los Angeles only to learn that Viet Cong officials refused to free them until a group of Communist prisoners was released by the South Vietnamese. Even at this point, the prisoners stayed in a cool place. They

trayon on a bedsheet, read, "Welcome Home Beautiful Men") and singing "God Bless America." In the control tower, a blip finally appeared on the traffic controller's radar scope. "Homecoming Air-Evac 177," called the tower, "we have radar contact. You are cleared for landing on Runway Zero Two repeat Zero Two. From everyone at Clark, the heartiest welcome." When the white and grey Stalfliter settled onto the runway, a tremendous cheer burst from the crowd—a cheer echoed by the men on board. While a phalanx of Air Force police held back the onlookers, the airplane taxied slowly into position and the crowd chanted over and over, "Welcome home, welcome home."

As the whine of the jet's turbines died away, a 39-foot red carpet was rolled up to the plane and a four-man honor guard marched into place. The plane's door

were waving at us and shouting," said Brig. Gen. Stan McClellan, head of the U.S. reception party. "One man yelled to us, 'I told you I would be back.' For eleven hours, the haggling went on. "It was a frustrating day," said McClellan, "and certainly there were some ill feelings on our part."

#### A Moment of Suspicion

The agonizing delay was caused in part by the Communist prisoners themselves, who at first balked at boarding the American helicopter provided to ferry them to Laos. Notably, principally out of fear that they were being tricked and would be pushed out of the choppers to their death. "I don't blame them," said one U.S. official, "considering the nature of this war. Indeed, given the treatment of Vietnamese prisoners of war on both sides, the suspicions were understandable. The Communist prisoners were, on the whole, in pitiful condition. Many were maimed, holding on to homemade crutches with multiple wounds or missing limbs. Yet when repatriation came, the Communists were as jubilant as the Americans. A group of prisoners being returned to the north ripped all their hands and POW programs to shreds after they were freed and, clad only in shorts, marched into Laos and into the arms of their former comrades.

It was not long before the choppers bearing the Communist captives landed at the Nam Son field. American prisoners were taken to the Ford Motor. Later the U.S. Army's CH-53 helicopters came into view at Saigon's Tan Son Nhut airport, and the crowd broke into loud cheers as a lean, young American on a stretcher, Capt. David Baker, was carried off the first aircraft. "He was a bit shaky," explained a U.S. spokesman. "He got so excited that he passed out. He said it was so wonderful to see us." Another four went up from the crowd when a tall, stooped man climbed out—Dwight Hunsay, a career State Department officer captured more than seven years ago. Dressed in floppy pajamas and plastic sandals and in some cases wearing head scarves or peace symbols around their necks, the men moved quickly to waiting planes for the transfer flight to the Philippines.

Despite the long delay, an anxious crowd still waited at Clark as their plane

landed and the ranking officer, Maj. Raymond Schrupp, stepped to the ground. If the men from North Vietnam looked somewhat pale and haggard, Schrupp and his fellow prisoners looked as if they had emerged from a medical diagnosis. Their faces were drawn, their bodies emaciated after years of being touched through the jungles, often to escape U.S. bombing raids. "These were men," said one official, "who had come back from oblivion." Many walked away from the airplane looking dazed and bewildered. In contrast to the prisoners returning from North Vietnam, some of the military men freed in the south saluted the officers and flaps that greeted them. Indeed, only the stretcher-borne Baker seemed exhilarated, energetically waving his arms as he was carried off the airplane. Schrupp walked to the microphone and told the crowd, "It has been a long time. I want to thank each and every one of you for such a very fine welcome. Thank you."

Once inside the hospital, however, all the returnees were euphoric. Their first group request, one hospital official chuckled afterward, was for a screening of N-rated movies. And even before they had fully settled into their rooms, one clique of men wanted to commandeer a bus to go drinking at the officers' club. That request denied, the returnees settled for an eating lounge at the hospital mess hall. There, one more feature of the military's carefully laid plans—the bland diets specially drawn up for the expatriates—went out the window. "We've been thinking of ice cream for years," one of the men whooped, and he and his comrades wolfed down so many banana splits that hospital staffers had to rush out for an emergency ration of bananas. One returnee's first meal consisted of two huge helpings of apple strudel and an ice cream sundae, while another devoured a loaf of bread—methodically buttering each slice, eating it, then buttering the next.

#### Jewelry and Chocolate Candy

Within 24 hours of their arrival, more of the plans for a slow and structured transition to normal life were abandoned. One POW lavishly took a 15-minute shower. Another was so eager to have his teeth fixed that he persuaded the hospital to rouse a sleepy dentist in the middle of the night. The next night, some 50 returnees armed with their allotted \$250 in "casual pay" trooped

down to the base PX on a special shopping spree. Jewelry and heart-shaped boxes of Valentine's Day chocolates were the big sellers. But the men also bought items for themselves, although not without some sense of shock. Conde, Gerald Coffey set out to find some civilian clothes. "I tried to find a conservative outfit," he said, "but I found they don't exist anymore. I tried on one outfit and felt like I was wearing a costume."

Three POWs made a special trip to Clark. Virgil J. Grisson, Elementary School to thank the children for posters and place mats they had made to welcome the men to the base. Mailed by the youngsters and teachers, the trio walked slowly through the cluster of clipping children, shaking hands and smiling tearfully. The men—Denton, Air Force Capt. John Bentley and Air Force Major William Robinson—seemed to cherish their contacts with the children. "I know that John and I'll be in a week, scheduled as I said. Denton is being with Little America. Added Robinson, "I have a seven-year-old daughter of my

own, and I haven't seen her for six and a half of those seven years." Before the men left, Denton read a letter to the school from Colonel Boyer, the ranking officer among the ex-POWs. "We will always remember you," Boyer's note to the children said. "The smiling faces, the waving hands, the waving flags—and we love you."

For all the hunky and excursions, there were serious—and in some cases unpleasant—matters to attend to at Clark. For some of the men there was bad news waiting—in one case, a prisoner's wife died while he was in captivity, several other wives had divorced their husbands. The military had designed a careful program for brooking such news to the men gently but, once again, the system did not always work. One man did not learn of trouble in his family until he telephoned home. The news was often hard to take, officially acknowledged. "There were tears," said one, "but they absorbed the blows and they walked out on their own." The resiliency of these guys is incredible.

That resiliency was obvious to all who saw the prisoners. Nonetheless, many were suffering from illnesses and injuries—29 were officially listed as sick or wounded. Some had to be carried on stretchers and even some of the ambulatory POWs had apparent disabilities: severe limps, withered arms and broken limbs. A few managed only dazed or bewildered stares. One hospital official said that some 15 to 20 of the pilots had suffered permanent eye damage due to vitamin deficiencies and will probably have to be grounded. But other doctors maintained that fully 98 per cent of the

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returnees' physical afflictions can be treated successfully and, in general, doctors were surprised at how healthy the men were. Dr. John Ord, the hospital commander, praised the diets and especially the dental hygiene—that the men had in North Vietnamese prisons. When asked about their treatment by the Communists, he said, "Their care must have been quite good."

The returnees were generally in such good physical condition, in fact, that within 48 hours the first planeload of twenty men was en route to the United States—and reunion with their families. (Two others, Comdr. Brian Woods and Maj. Glendon Perkins, left even earlier on a special flight to rush to the bedside of their ailing mothers.) At California's Travis Air Force Base, the POW's first state-side stop, there were brief and simple welcoming ceremonies to celebrate the men's return. The largest crowd of the week gathered when the jet carrying the first airman captured, Commander Alvarez, arrived. "For years and years we dreamed of this day," Alvarez told the throng, "and we kept faith—faith in our God, in our President and in our country. It was this faith that maintained our hope that someday our dreams would come true and today they have. We have come home."

### "There Are Miracles"

From one end of the U.S. to the other, there were ecstatic scenes of family reunion (box). When Andrea Arcuri rushed to meet her husband, Air Force Lt. William Arcuri, she almost bowled him over—then steadied him as she slipped a ring from her finger to his. Air Force Capt. Hayden Lockhart Jr. walked down the ramp of his flight at Travis to find one familiar and one unfamiliar face waiting for him. He kissed his wife, Jill, then bent down to shake hands with 7-year-old Hayden III—a son he had never seen. In San Antonio, Army Sgt. Ken Wallingford stepped off the elevator at Brooke Army Medical Center and suddenly after ten months as a Viet Cong prisoner stood face to face with his parents. "Welcome home, son," his mother beamed. "I'm so proud of you." With a quizzical grin, Wallingford replied, "I haven't done anything." Then he and his family moved off to continue the reunion in a spacious suite of rooms that had once been reserved for the late President Lyndon Johnson.

In San Antonio, smiles and tears fought for control of Dorothy Ray's face. It had been fourteen months since she had last seen her husband, Army Capt. Johnnie Ray, who was captured by the Viet Cong in last spring's Communist offensive. "He said I looked beautiful and he tore my dress on both sides, he hugged me so hard," Mrs. Ray beamed. "I showed him the bracelet with his name that I had been wearing. He took it off my wrist and he started to cry. He grabbed me and started hugging me again." And as her eyes misted over, Dorothy Ray smiled softly, "I never believed in miracles, but I do now. There are miracles."

When Navy Lt. Comdr. Paul Galanti's plane arrived at a naval air station in Virginia, the waiting crowd went wild—but his wife, Phyllis, stood still. At the microphone, Galanti read a different sort of statement, a poem he had written for Phyllis on his first cruise as a midshipman. "Lonely are the days and nights, my love. That we have been apart. It seems almost forever since I held you to my heart. The moments are as restless as the waves that move the sea. But every second means a step nearer my love to thee." Then there was a restrained hug and the couple slipped toward their car—for the real welcome home. They hopped into the back seat and with Galanti holding up his hat to ward off the cameras, kissed long and lovingly. "Once we got in the car," Phyllis told her, "it was great."

Navy Comdr. Raymond Vohden's plane landed him home to Memphis, Tennessee, his 10-year-old daughter, Constance, still preoccupied with a handmade Valentine that read, "Happiness is a Dad, Mom, Conny's parents. However, I miss you at least one other matter to discuss. Mr. Vohden had filed for divorce in October. "He wrote me a letter telling me to make a new life for myself," she explained. "I filed for the divorce because the children and I had no life, we were in prison too." But when the first hint of a peace in Vietnam came, she withdrew the divorce suit. Now, she said, she and her husband will have to work it out day by day.

Other returning prisoners and their families will also have to work things out gradually. And even in the first few days of the homecoming, some were feeling low. With them was Col. Army Warrant Officer James Hestand, 23, returned to San Antonio expecting to be greeted by his wife, Anita. But she

wasn't there. He called her, and after their conversation, a dejected Hestand said, "I may not get Nita back."

Even for families not facing marital breakdowns, there can—and almost certainly will be—trying moments as a result of the ex-prisoner's captivity. Mrs. Helen Brumister was sorting through the flight bag that her husband, Air Force Lt. Col. Alvin Brumister, brought back from North Vietnam. In it she found the cup and spoon that he had used in prison camp. He returned to the room suddenly. "Put that stuff away," he said curtly, "and don't touch it again."

Doctors and psychiatrists warned that more than marital difficulties and minor adjustments lay ahead for the returning prisoners. Former POW's, not only from Vietnam but from previous wars, have a history of chronic illnesses caused by years of substandard medical treatment, statistically, they have a shortened life expectancy as well. Other studies show they are prone to automobile accidents and tend to suffer bouts of depression. And the Vietnam POW's will have to contend with other burdens—including the efforts of some promoters to exploit their new status as celebrities (following story).

But if their performance so far is any indication, the returnees from Vietnam may well prove the exception to past rules. Clearly, they believe so. "There will be minor adjustment problems," Rivner acknowledged, "[but] as far as the mental capabilities of the men that I have lived with, I think you'll be pleasantly surprised. Their minds are still alert and their bodies are in good condition."

And the prisoners' healthiness seemed matched by a rare exhilaration in the spirit of the land they returned to. It was impossible to tell whether, as Secretary of State Rogers hoped, their arrival might somehow help to heal the wounds laid open by Vietnam. But the fact was that last week's homecoming was one of the few events in the war's long history in which Americans could join together—in unity and in joy.

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FEB 26 1973

P. A1

## Hanoi Says It Is Set for Next Release

By HDS Greenway

Washington Post Foreign Service

SAIGON, Feb. 26 (Monday)

The official spokesman for the North Vietnamese delegation to the truce commission said Monday that "everything is prepared" for the next release of American prisoners of war.

But he refused to set a date for the release and indicated that an incident involving the injury of North Vietnamese members of the Joint Military Commission in Hue might cause a delay.

American sources, however, remained confident that the second round of prisoner exchanges would take place "approximately" on time.

According to Presidential adviser Henry Kissinger's press conference on Jan. 24, prisoners were to be exchanged at approximately 15-day intervals. The first exchange took place on Feb. 12.

There has been disagreement between the Americans and the North Vietnamese on just when the next release should take place, according to U.S. sources. "The exchange could come as late as Wednesday, Feb. 28," said an American source. "What is needed now is a little patience."

(Meanwhile, the Saigon delegation to the truce commission charged today that North Vietnam has established three SAM-2 missile sites in Quang-tri province in "grave violation of the cease-fire." In the past two weeks, the Associated Press reported, Saigon said the missiles have been positioned in the Khesanh area, which has been under North Vietnamese control for more than a year.)

Sunday, on the eve of the start of the Paris conference on Vietnam, several hundred

Vietnamese civilians broke into the four-party Joint Military Commission headquarters in both Hue and DaNang and roughed up the Communist delegates.

In Hue, five North Vietnamese were injured. There were no injuries to Communist delegates in the DaNang incident.

Lt. Col. Bui Tin, the official spokesman for the North Vietnamese delegation to the truce commission, said today that although he could appreciate the feelings of the families of American prisoners, the Hue incident presented a "grave situation, a dangerous situation" that would have to be discussed at today's meeting.

The panel's subcommittee on prisoners met Sunday morning and again in the afternoon, but no list of the POWs to be released was forthcoming. Bui Tin said today that the list was ready. The subcommittee will meet again today.

Tin also said in a telephone interview today that the exchanges of POWs in the South would take place at Bongson in northern Binh Dinh province.

American sources said that there had been a four-party inspection trip to the Bongson region Sunday and that Vietnamese prisoners would probably be exchanged there. They said they had no firm word as yet on whether or not American prisoners would also be freed there.

Meanwhile, the North Vietnamese lodged a strong protest over the incident at Hue today accusing the South Vietnamese government of having organized the attack on North Vietnamese personnel. The protest mentioned that North Vietnamese members of the truce commission had been stoned at Banmethuot on Feb. 9 and that there had been demonstrations in Hue on Feb. 13.

They said that the United States and the government of South Vietnam would have to "bear full responsibility" for the incidents.

These incidents, together with the restrictions and obstructions put on the activities of both the North Vietnamese and Provisional Revolutionary government's activities were aimed at "paralyzing the joint organization at all levels..." the North Vietnamese protest said.

Tin said today that it would now be necessary to review the entire record of events for the first 30 days of the cease-fire.

According to the official South Vietnamese version of the Hue incident, the attack on the truce compound was a spontaneous protest demonstration against the Communists.

FEB 8 7 1973

# HANOI AIDE ASSERTS P.O.W. RELEASE WILL BE SUSPENDED BECAUSE U.S. AND SAIGON DO NOT OBSERVE TRUCE

## OBSTACLES CITED

### He Accuses South of 20,000 Violations of Cease-Fire

Special to The New York Times  
SAIGON, South Vietnam, Tuesday, Feb. 27 -- A North Vietnamese spokesman declared today that there would be no further release of American prisoners of war "until the United States stops concentrating their efforts on getting back prisoners while failing to correctly implement the Paris agreement."

The spokesman, Col. Bul Tin, accused the United States of "encouraging" the Saigon Government to create obstacles and difficulties for the Four-Party Joint Military Commission, and asserted that the Saigon Government had conducted 20,000 military operations since the cease-fire began a month ago.

Colonel Tin said that the Communists had "correctly carried out the release of the first batch of American prisoners" on Feb. 12 and were ready to do the same now.

#### Situation Is 'Serious'

But he charged that the United States and Saigon Governments had failed to implement the Paris accord and that "the situation has now grown very difficult and serious." (In Washington, the White House, State Department and Pentagon declined comment on the development.)

The North Vietnamese official said that his Government was "fully aware of the feelings, emotions, and anxieties of the hundreds of families of American prisoners still awaiting their sons, brothers and husbands."

But, he went on, the Hanoi Government "would like also to call the other side's attention to the similar feelings of the hundreds of thousands of Vietnamese - families whose members are being detained in South Vietnamese concentration camps and prisons."

"The United States and the Saigon Government must," he said, "correctly implement the Paris agreement."

#### Links Civilians and Military

He said that Hanoi Government was demanding solution by the Joint Military Commission of both the release of military prisoners and civilian detainees in the current discussions on releases. The Communists had demanded that this round of Vietnamese prisoner releases center on civilian detainees rather than military prisoners. The Saigon Government had rejected that proposal.

Colonel Tin charged that during the month since the agreement was signed in Paris, the North Vietnamese and Vietcong delegations to the Joint Military Commission had been "subjected to provocation, isolation

and, in some cases, violence."

He was referring to incidents in which mobs attacked Communist delegates to the Joint Military Commission at Ban Me Thuot and at Hue and Da Nang.

He also charged that the Communist delegates to the Commission had been forced by the Saigon authorities to live in virtual concentration camp conditions at Tan Son Nhut air base and that living and working conditions were even worse at Bien Hoa and Pleiku.

"Our Government and we ourselves have taken note that the Saigon Government does not have any good will for peace," the colonel said.

The first group of American prisoners was released on Feb. 12, from Hanoi and from Loc Ninh in the Communist-held portion of South Vietnam. That group consisted of 118 men released by Hanoi and 27, including 8 civilians, set free by the Vietcong in the South. Last Monday, as a demonstration of "goodwill" after Henry A. Kissinger's visit to Hanoi, 20 more Americans were released there.

**The 15-Day Question**

According to the schedule worked out with the Communists, the freeing of American prisoners was supposed to take place every 15 days.

The Paris agreement does not specify that American prisoners must be released every 15 days. It says only that all American prisoners must be released within 60 days after the agreement is signed and that they shall be released at a rate no slower than the rate at which American troops withdraw from Vietnam. The agreement was signed on Jan. 27.

Since the agreement says that the American troops should withdraw in four phases of 15 days each, the assumption has been that the prisoners would be released in similar increments.

The delay in the release developed against a background of exchanges of charges and countercharges by the Communists and Saigon.

The Communists accused Saigon of hiring "a gang of hoodlums" to attack North Vietnamese officers in Da Nang and Hue on Sunday night.

Saigon came back with a charge that the Communists had committed a "flagrant and heinous violation" of the cease-

fire agreement by installing a force of Communist officers in northern cities of South Vietnam.

In the attacks on the North Vietnamese on Sunday, mobs forced their way into Joint Military Commission compounds in Hue and Da Nang, reportedly to protest the presence of Communist officers in those northern cities of South Vietnam.

In Hue, five North Vietnamese officers were injured by rocks thrown by the intruders, who, according to witnesses, encountered only light resistance from South Vietnamese policemen.

Gen. Le Quang Hoa, the chief of the North Vietnamese delegation to the Joint Military Commission, charged that the mobs were "a gang of hoodlums hired by the Saigon administration."

A commission source said that three of the North Vietnamese injured at Hue had asked to be flown to Saigon and hospitalized. Doctors at the scene, the source said, decided that the injuries were not serious enough for medical evacuation, but yesterday the United States finally flew two of the men to Saigon for treatment and they were later flown to Hanoi.

**Not the First Time**

A few weeks ago, a group of Communist representatives to the commission were assaulted by a rock-throwing mob in Ban Me Thuot in central South Vietnam, in an incident similar to those in Hue and Da Nang.

There is widespread belief here that these incidents have been inspired by local authorities, either acting on orders from Saigon or convinced that Saigon would approve their actions.

Asked about the incidents at Hue and Da Nang, a Saigon Government spokesman characterized them as "the spontaneous reaction of the people." He said the incidents would be investigated.

In a response of another sort, the Saigon Government said that the Communists had placed three missile sites in an area within three miles of the Khe Sanh airstrip in the extreme northwest corner of South Vietnam.

Khe Sanh has been in Communist hands since last spring's North Vietnamese offensive.

The Government, asking for investigation by the International Commission of Control

and Supervision, charged that construction of such missile sites violated Article 7 of the Paris agreement.

Article 7 prohibits either Saigon or the Communists from introducing troops or weapons into South Vietnam except to replace equipment destroyed or worn out.

The South Vietnamese produced aerial photographs that they said, showed the three locations on Jan. 24, four days before the cease-fire took effect, and on Feb. 18. They said that the missile sites had not existed on Jan. 24 but were in the pictures taken on Feb. 18.

The South Vietnamese refused to explain why they had withheld this information until yesterday, but it appeared likely that they had chosen to discuss it in an attempt to take some of the edge off the incidents at Hue and Da Nang.

American intelligence sources who saw the photographs said that they did, indeed, depict sites for SAM-2's. These missiles were used by the North Vietnamese to defend Hanoi and Haiphong against heavy American bombing. Asked what the missiles might be protecting in Khe Sanh, in Quang Tri Province about seven miles from Laos, a Saigon spokesman declined to comment.

CHICAGO  
TRIBUNE,  
Feb. 28,  
1973

# Nixon orders Rogers to protest Red action

By Aldo Beckman

Chicago Tribune Press Service

WASHINGTON, Feb. 27—President Nixon today ordered Secretary of State William P. Rogers to ask Hanoi's foreign minister why the North Vietnamese have held up the release of American prisoners of war.

There were strong hints from the White House that the United States might consider withdrawing from the international conference on guaranteeing peace in Southeast Asia if there is not quick action on the prisoner release. The conference opened yesterday in Paris. Rogers heads the U. S. delegation.

In Paris, Tribune correspondent Gwen Morgan reported that Rogers was fulfilling a scheduled visit with Soviet Foreign Minister Andrei Gromyko when the Presidential instructions arrived.

The conference immediately was suspended.

ROGERS WAS instructed to "demand clarification from the North Viet Nam delegation and to raise this subject with the North Viet Nam foreign minister as a matter of highest priority before other business is conducted at the conference," according to State Department spokesman Robert McCloskey.

The spokesman said the U. S. "categorically rejected" Communist charges of U. S. violations of the cease-fire.

"If you read Article 6 of the protocol on prisoners, it says the parties shall not deny nor delay the return of prisoners of war for any reason," McCloskey said.

The U. S. has "continuing evidence of gross violations on the Communist side," McCloskey said, citing the infiltration of several thousand North Vietnamese troops and military equipment into the south and "enemy initiated shootings."

ASKED ABOUT the possibility of a breakdown of the conference, the U. S. spokesman said, "We didn't come to Paris to see the conference fail and we hope we can resolve matters . . . (with) North Viet Nam representatives here."

It was thought likely that if Rogers isn't satisfied with the North Vietnamese response by tomorrow, the Americans won't return to a committee meeting of U. S. and Hanoi experts who are scheduled to work out a draft document for the conference.

The full conference met for just under two hours this morning then adjourned until Thursday to allow the U. S.-Hanoi committee to produce the draft.

Ronald L. Ziegler, White House press secretary, refused to comment directly on the prospect of American troop withdrawals from South Viet Nam being suspended or delayed.

RELEASE OF the prisoners is "an unconditional obligation" of those who signed the peace agreement, Ziegler said. He said the Viet Nam cease-fire agreement "specifically called for release of prisoners at a rate no slower than that for withdrawal of American troops."

The U. S. has withdrawn more than 55 per cent of its troops, Ziegler said, and if North Viet Nam is to carry out its part of the agreement, it must release immediately another 120 American prisoners. U. S. troop strength in South Viet Nam as of yesterday was down to 11,721.

Prisoner release can be linked with nothing except withdrawal of American troops, he said, quoting from the cease-fire agreement signed Jan. 27.

IN SAIGON, the U. S. commission members called on the Communists to release the prisoners immediately.

Radio Hanoi broadcast an "official government communication" detailing Hanoi's demands.

They included a halt in the "blatant and disgusting actions and maneuvers designed to prevent the deployment and to create difficulties for, and operations of the North Vietnamese delegation" to the joint military commission. It also called for an end to all attacks against the North Viet

Nam delegates the release of all Vietnamese political prisoners, and a stop to all cease-fire violations.

The Hanoi broadcast also demanded a speedup in deactivating and removing American mines from the rivers and coastal waters of North Viet Nam and an end to U. S. bombing of Communist-held areas of Laos and Cambodia.

Rogers was in touch with the White House earlier today from Paris thru both cables and telephone, Ziegler said.

PRESIDENT NIXON ordered Rogers to seek a clarification of the prisoner release delay "on a most urgent basis and as a matter of highest priority."

This must be done before other business is conducted by the conference, Ziegler said.

Asked if that meant the U. S. is considering ending its participation in the conference, Ziegler replied that no session had been scheduled for tomorrow and it was hoped the clarification could be obtained from North Viet Nam before the next session.

He said Henry Kissinger pointed out in his press briefing on the peace agreement that one point insisted upon by U. S. negotiators and agreed to by Hanoi was that there could be no connection between release of U. S. prisoners and the release of prisoners held by Saigon.

THE PRESS secretary said there had been no official contact from Hanoi on the matter of delaying prisoner release.

The peace agreement called for withdrawal of American troops in four phases, at 15-day intervals, and for the release of American prisoners at a rate at least equal to the troop withdrawal pace.

# U.S. to Boycott Paris Peace Conference Until Hanoi Explains Delay in POW Release

By ROBERT KEATLEY

Staff Reporter of THE WALL STREET JOURNAL

PARIS—The conference here to write new ways of guaranteeing peace in Vietnam ran into serious problems yesterday because already existing rules aren't being obeyed.

That came when President Nixon ordered Secretary of State Rogers to stop taking part in this twelve-government meeting until North Vietnam explains why it won't release some 120 American prisoners as required by the peace pact signed here last Jan. 27. Until such "clarification" is obtained "as a matter of highest priority," Mr. Rogers has been instructed to avoid other business at the conference.

The Secretary was trying to arrange a meeting late yesterday with his opposite number, Hanoi's Foreign Minister Nguyen Duy Trinh, to get an explanation.

The prisoner problem arose at a time when regular conference business seemed to be going reasonably well despite disputes among some participants. The main purpose of this meeting is to underwrite Vietnam peace terms and devise a method of bringing big power influence to bear on any Vietnamese faction that violates the peace agreement in a major way.

## Political Pressure Plays

The prisoner issue involves a series of political pressure plays.

It arose because Hanoi claims South Vietnam isn't obeying cease-fire terms it signed a month ago. Until it does, North Vietnam claims it won't turn loose about 120 U.S. war prisoners who were scheduled for release yesterday.

But the U.S. rejected that demand, pointing out that the cease-fire agreement links American POW release only to American troop withdrawal, not to Saigon's own actions on other matters. But "as the U.S. has now removed more than half its men from South Vietnam, it claims Hanoi must now turn loose at least 50% of the Americans it holds.

Under a protocol negotiated in Paris by White House aide Henry Kissinger and Hanoi official Le Duc Tho, all U.S. POWs are supposed to be returned "without delay" for any reason. State Department spokesman Robert McCloskey said here yesterday this provision is "unmistakably clear (and) unequivocal."

## Hanoi's Intention

What Hanoi clearly is trying to do is force Washington into applying pressure on Saigon's President Thieu to obey all cease-fire terms. Otherwise, it implies, unless remaining Americans won't come home for a long time. But Washington refuses, and now—by threatening to abandon the conference if necessary—is applying counterpressure on North Vietnam to live up to its past promises before it can get anything it wants at this meeting.

What will come of this contest of wills is unknown. Hanoi's leaders are tough—"those barbarians," one American official called them recently—and they may stall indefinitely. If so, this conference, which was designed to spread the responsibility of upholding peace terms, would fail.

Mr. McCloskey, meantime, answered some Communist Vietnamese charges of U.S. and South Vietnamese cease-fire violations with some fresh American countercharges. He said South Vietnam has sent several thousand free

troops into South Vietnam via the Ho Chi Minh trail since promising a month ago to stop. He also said it has sent much military equipment, including trucks, into the South, and has initiated many illegal shooting incidents. In addition, there have been other reports of new North Vietnamese tanks and even CAM missiles being sent to the South, but officials here said they didn't yet have positive proof about such violations.

## No Plenary Session Scheduled

There was no formal plenary session scheduled for today even before Mr. Rogers got his new orders. Instead, three-man teams from each government here are scheduled to hold private sessions about a final communique. This paper is supposed to outline ways to reconvene the conference if future cease-fire violations occur so that it can bring political pressure to bear upon violators. Mr. McCloskey, however, implied that the American team won't even take part in this process until North Vietnam explains itself.

The point may be academic. The last drafting session ended somewhat early yesterday anyway because of an unspecified "disagreement over procedure" between the Hanoi and Washington teams.

Even so, some progress was being made before the prisoner issue arose. Both Hanoi and Washington had agreed in principle about the need to have some way of reconvening the conference if gross cease-fire violations occur in the future. North Vietnam, obviously, sees this as one way to establish its position and Washington sees it as another. The U.S. sees it as a way of getting the big Communist powers—the Soviet Union and China—to help keep Hanoi and the Vietcong under control.

Because of this broad, if imprecise, agreement, many diplomats here had expected the meeting to end Friday on schedule with an acceptable communique. Now things are uncertain.

## Another Major Threat

But some agreement is necessary to avoid another major threat to the cease-fire agreement. Canada, which has nineteen years of unhappy experience with earlier Indochina supervisory teams, has vowed to quit the present control commission unless the conference produces a suitable document. If Canada did withdraw—and it says it won't stay beyond April 30 if this meeting fails—the new four-power supervisory force in Vietnam would fall apart and major violations could continue unchecked.

The Canadian demands include establishment of some outside body that would receive violation reports from the commission.

If Canada eventually withdraws from the commission on grounds it won't work, it's doubtful whether any other noncommunist country would take its place. The other members of the existing control commission, which so far hasn't been able to get into the field on schedule, are Poland, Hungary and Indonesia.

In addition to those four nations, others attending the conference here are the U.S., the Soviet Union, China, North and South Vietnam, the Vietcong, France and Britain. UN Secretary General Kurt Waldheim is also an official member though his role remains small due to objections from several Communist delegations.

WASHINGTON STAR-NEWS, February 28, 1973

# Hanoi Yields on New Release

By GEORGE SHERMAN

Star-News Staff Writer

The United States has received North Vietnamese assurances of immediate action on release of the second group of American prisoners, the White House said today.

Press Secretary Ronald L. Ziegler said that North Vietnamese Foreign Minister Nguyen Duy Trinh had told Secretary of State William Rogers privately in Paris that Hanoi fully intends to live up to the commitment in the Paris accords for the release of all American prisoners of war by March 27.

Trinh told Rogers, Ziegler said, that the North Vietnamese representative in the Joint Military Commission in Saigon would begin discussion "at once" on detailed arrangements for releasing the second group of American POWs.

## Full Compliance Expected

The commission is to meet again tomorrow morning.

"We will now see what happens," said Ziegler. "We have every expectation that the agreement will be kept and we expect the other side to comply fully."

Ziegler, who had come straight from a meeting with President Nixon, said that Rogers and Trinh had met privately today after a three-hour meeting on the stalemate between the United States and the foreign ministers of North and South Vietnam and the Viet Cong.

Ziegler made clear that the President instructed Rogers again today not to return to the other business of the international conference on Vietnam now under way in Paris until the arrangements for the release of this group of POWs had been completed.

## Timing Uncertain

Under persistent questioning, Ziegler refused to say that North Vietnam had actually agreed to release the POWs this week. He also could not say whether Trinh had repeated to Rogers the public North Vietnamese demand that the release be tied to "Ironclad" guarantees for the safety of the North Vietnamese representatives in South Vietnam.

The White House spokesman did repeat Nixon's statement yesterday that the release of these prisoners could be tied to nothing more than the withdrawal of American forces from South Vietnam during the 60 days following the signing of the Paris accords Jan. 27.

Quoting from the prisoner and cease-fire protocols, Ziegler claimed that Hanoi was committed to release the second batch of American prisoners this week.

Under those protocols, Ziegler said, Hanoi committed itself to a release of prisoners at a rate "no slower than the withdrawal of American forces."

The United States now has withdrawn over 50 percent of the forces it had there as of Jan. 27, with 11,724 remaining. Therefore, said the press secretary, Hanoi now must release somewhere between 120 and 130 prisoners in order to bring the release figure to the 50 percent mark called for in the protocol.

The press secretary carefully refrained from tying this prisoner issue to any other complications in the Vietnam situation. He refused comment, for instance, on Saigon reports that the United States would cease all troop withdrawals until the next group of prisoners was released.

The press secretary also refused to repeat the harsh attack made this morning in Saigon by the American delegate at the Joint Military Commission, who demanded Hanoi remove a SAM missile base from South Vietnam and stop the infiltration of forces southward.

A mood of gloom had gathered over the 12-power conference in Paris, Star-News reported. Andrew Borowiec had reported earlier. Still some officials maintained stubbornly that the problem would be resolved with good will on both sides.

However, there were few signs of good will as delegations fired angry salvos in heated news briefings.

Rogers and South Vietnam's Tran Van Luan met with Hanoi's Nguyen Duy Trinh and Viet Cong's Mrs. Nguyen Thi Binh in a difficult session de-

layed by a quarrel about the shape of the table and other technical details.

Subsequently, both sides hinted vaguely that nothing had been decided and that no plenary session of the conference had been set for tomorrow. The original aim was to have a joint declaration guaranteeing peace in Vietnam adopted by Friday.

The South Vietnamese spokesman, Nguyen Trieu Dan, insisted that the meeting did not consist of four parties but of two and that Lam's presence at it "did not imply recognition of the Viet Cong."

Dan charged the Communist side with actions "contrary to the Paris peace agreement."

However, more optimistic reports came from the technical committee drafting the joint resolution.

## Compromise Indicated

Polish sources (Poland is a member of the four-power Control and Supervision Commission) said a compromise on the resolution had been virtually reached.

The compromise, according to this report, includes a brief mention of Laos and Cambodia and designates the United States and North Vietnam as the two countries charged with receiving and acting on cease-fire violation reports from the field.

But it was clear that the conference would be unable to act on the reported compromise until the question of the prisoners of war and Hanoi's stiff demands was resolved.

# Release of POWs Set for Saturday By N. Vietnam

## Hanoi Gives List of 106 U.S. Names

By H. D. S. Greenway  
Washington Post Foreign Service

SAIGON, March 1—The North Vietnamese delegation to the Joint Military Commission handed over to the United States Thursday a list of 106 American prisoners of war and two Thais, apparently ending the crisis over POW releases.

In Paris, a U.S. spokesman said North Vietnamese Foreign Minister Nguyen Duy Trinh had assured Secretary of State William P. Rogers that the POWs would be freed by 9 p.m. Saturday Saigon time (8 a.m. EST).

In addition, representatives of the Vietcong's Provisional Revolutionary Government said in Saigon that they had handed over a list of 27 American POWs and seven captives—three Americans, two West Germans and two Filipinos.

No information has yet been received from either the North Vietnamese or the PRG concerning the time and place of the release, American sources said.

There were indications, as yet unconfirmed, that the prisoners held by the PRG might be released in Hanoi along with the prisoners held by the North Vietnamese, American sources said.

A South Vietnamese spokesman said today that the Communists now admit they hold 200 more South Vietnamese POWs than had previously been announced, bringing the total to 4,783. But he said there was still no progress on obtaining their release.

The breakthrough followed a day of meetings in the JMC in which the Communist delegations promised that the release would be unconditional.

The POW crisis was apparently a calculated effort by the Communists to urge the Americans to assume more responsibility for the entire agreement, not just the withdrawal of American troops and prisoners. But the Communists took pains from the beginning of the crisis to explain that they were not out to wreck the Paris agreement.

The Americans here, also from the beginning, advised Washington not to panic, that the delay was a gesture that should be reacted to with firmness but not with excess.

It remains to be seen what the North Vietnamese and the PRG got out of the delay besides calling attention to their grievances.

One of the chief Communist complaints was that their delegations to the JMC here were being treated as virtual prisoners.

The South Vietnamese government, at today's JMC meeting, offered to remove the guards and the barbed wire from around the Communist delegations and to provide a C-47 airplane for regular flights to Hanoi.

Thursday afternoon the Defense Department said that U.S. minesweeping efforts to clear North Vietnamese waters had been suspended during the impasse over releasing American prisoners of war. Spokesman Jerry W. Friedman said the operations would resume once a complete list of prisoners to be released this weekend by North Vietnam and the Vietcong is received.

The South Vietnamese warned, however, that there might be risks if the Communists tried to mingle with the population.

The Communists are not asking for an end to security. Quite the opposite. They are making that demonstrations, planned or unplanned, not be followed to endanger their delegates and that they be allowed freedom of movement as well as protection.

Many American officials here are privately sympathetic to some of the Communist complaints. They see that President Thieu has not switched from a warlike position, and they agree that the Communist truce delegations are being treated as virtual prisoners.

The American embassy as well as visiting top American officials, such as Vice President Agnew, have tried to persuade Thieu to honor the agreement. But the United States has tried only persuasion, not threats. Short of cut-

ting off assistance, the United States has little leverage.

Given the Nixon administration's wish to see a non-Communist government in Saigon, cutting off aid is too drastic a threat to be credible.

Thieu knows there are millions of people in South Vietnam waiting to see which side looks like a winner.

Therefore, it is in his interest to have the Communist delegates appear as virtual prisoners and to keep them isolated as much as possible.

WASHINGTON POST, March 5, 1973

# 106 POW's Return, Most in Good Shape

CLARK AIR BASE, Philip Several thousand persons were on hand to greet the planes, March 3 (Monday) (AP) —A group of 106 Americans POW's yesterday. They were and two Thais released by officially welcomed by U.S. North Vietnam returned to ambassador Henry A. Byroade freedom and a joyous red carpet welcome at this large Admiral Noel Gayler, commander-in-chief of U.S. forces in the Pacific, and Lt. Gen. William G. Moore Jr., commander of the 13th Air force.

The last of the three C-141 flying hospitals landed at Clark at 6:10 p.m. (5:10 a.m. EST).

Public information officers for Operation Homecoming said most of the men were in "very, very good condition."

A few of the men limped slightly as they stepped off the planes, but most of them stood up straight and appeared to be in good shape.

Yesterday's release brought to 271 the number of prisoners freed by the North Vietnamese and Vietcong since the Jan. 28 cease-fire.

Two of the planes that brought the latest group of prisoners to the Philippines returned to Hanoi today to pick up 34 more prisoners of war, including 30 Americans, being freed by the Vietcong.

About 300 more Americans are scheduled to be released within the next month.

Several thousand persons were on hand to greet the POW's yesterday. They were officially welcomed by U.S. ambassador Henry A. Byroade, Admiral Noel Gayler, commander-in-chief of U.S. forces in the Pacific, and Lt. Gen. William G. Moore Jr., commander of the 13th Air force.

The senior officer in the first plane was Col. James H. Kastler, 47, of Indianapolis, who was shot down over North Vietnam in August 1968.

Voice crackling, Kastler told the welcoming crowd:

"We went to Vietnam to do a job that had to be done. And we were willing to stay until that job was complete. We wanted to come home with honor."

"President Nixon has brought us home with honor. God bless those Americans who supported our President during this long ordeal. We know better than any citizen has ever known how great it is to be an American. It's good to be home."

Most of the POW's came down the ramp carefully. But Navy Cdr. Richard A. Stratton, 41, Palo Alto, Calif., the best known of the POW's returning today, charged off of the plane smiling broadly. He shook hands with dignitaries, grasping Gayler's hand with both his hands.

Stratton came to the attention of the American public in 1967 when he appeared at a news conference and allegedly confessed to war crimes.

American magazines carried a picture of him bowing deeply to his North Vietnamese captors. His gaunt face haunted many of those who saw it and he became a symbol of the American POW's for many.

Officials here said Stratton may appear at a news conference. "If he wants to meet the press."

Speaking for the men on the second flight, Air Force Col. Gordon A. Larson, 45, of San Antonio, Texas, said "We now know what freedom really is."

"Freedom Is All"

The information officer on the second plane, Lt. Cdr. Jay Coupe Jr., of Philadelphia, said that when Lt. Cdr. Michael D. Christian, 32, Huntsville, Ala., was told that he would soon have a chance to visit the base Post Exchange he replied:

"Freedom is all I need. I don't need anything else."

Speaking for the returnees on the third plane, Air Force Col. Norman C. Gaddis, 39, of Winston-Salem, N.C., who was downed in 1967, said:

"It is with great humility and deep gratitude that we return today as free Americans. Although we are overjoyed to be back among friends, we realize that some 300 fellow Americans are still held prisoner in North Vietnam."

"It is our fervent hope that those men will soon be released and join their families. During our incarceration we kept faith in the Divine Providence, in our nation and in our fellow prisoners."

(Col. James R. Deane, the chief of the American team who signed for the repatriation of the Thais, said he had no knowledge of the conditions surrounding their internment, UPI reported.)

(The North Vietnamese had described the Thais as "hirelings of the United States." A North Vietnamese spokesman in Saigon, said they were shot down on a mission over North Vietnam.)

WASHINGTON POST  
MAR 6 1973

P. 1

## 34 POWs Arrive At Clark

**PHILIPPINE DISPATCH**  
**CLARK AIR BASE** The Philippines' March 5 — Thirty-four men, some on crutches and some limping cautiously, arrived to a cheering welcome here today after being released by the Vietcong in Hanoi.

"My God, you don't know how good it is to be free," said Capt. Stephen R. Leopold, the senior man on today's flight to freedom. "The first thing I thought of was to add up the years of captivity that the men on this plane had served. I stopped counting at 150. One hundred and thirty years for 34 people is a long time."

Leopold, 38, of Milwaukee, Wis., who was captured on March 27, 1969 led an international group of prisoners of war off the plane, including 29 Americans, 10 Filipinos and two West Germans. One of the Germans was Monika Schwinz, a 37-year-old nurse who is believed to be the only surviving German woman prisoner of war.

Even as the latest group of 34 POWs arrived here, the men released in North Vietnam Sunday—106 Americans and two Thais—were speeding through their processing and preparing to return home possibly Wednesday, for reunion with their families.

The chalky-faced prisoners released by the Vietcong appeared thinner and less vigorous than the 106 who arrived the day before and were hauled in a litter from the plane that ferried them from Hanoi.

Army SSGT. Bill Baird appeared in the doorway of the huge C-141 ambulance plane on crutches and then shuffled his way down the ramp with a large smile on his face.

Baird's 40-yard walk to a blue ambulance bus was painful to watch but the 26-year-old native of Wooster, Ohio, was determined to walk to freedom. He shot off a snappy salute to Adm. Noel Gayler, commander in chief of the Pacific Forces warmly shook the hand of Philippine President Ferdinand Marcos, who was on hand to welcome the two Filipinos, and then hopped down a red carpet to the bus with the cheers of the crowd ringing in his ears.

Miss Schwinz was one of the last off the plane. She walked timidly down the ramp carrying an orange handbag and a bouquet of yellow roses dressed in the same blue prison uniform worn by the rest of the returnees.

The new arrivals later joined those released yesterday in viewing the small photographs. They gobbled news stories and news telegrams and then huddled back home and tinkered with their hospital television sets.

They were to begin thorough medical examinations Tuesday. Air Force Brig. Gen. Russell Ozan 49, of Reading, Pa., said the Vietcong told the U.S. pickup party in Hanoi that none of the men had an injury that could be fix-

ed. Little was known about the two Thais that the North Vietnamese released yesterday. Hanoi Radio today said they were captured in 1964 and 1966 in Quangbinh and Nglean Provinces and said they were mercenaries and spies.

One official who made the trip to Hanoi commented, "Those are really fantastic guys. They really did a lot for us." He did not elaborate.

The two Filipinos released today are employees of the Voice of America who were captured in Hue during the Tet offensive. The families of both men were at the flight line to greet them.

The two Germans, Miss Schwinz and Bernard Dehl were both captured April 27, 1967 while working for the Mattress Art Service, a German Catholic charity mission, at a hospital near Danang.

Military sources said today that American war prisoners had cheered when they saw massive fireballs near Hanoi during the December bombing. Later the source said, the POWs learned the explosions were American B-52 bombers crashing to the ground.

Many U.S. prisoners got up at night to watch the fire works, and many of the older professional airmen are convinced the bombing was instrumental in helping President Nixon obtain their freedom, the sources reported.

# More Than Half U.S. Prisoners Are Now Home

Associated Press

América had more than half show how horrible their treatment was" yesterday as giant transport planes completed the second phase of Operation Homecoming with arrivals at three air bases across the country.

Among the 55 former POWs brought to the mainland from Clark Air Base in the Philippines was a prisoner who became to many a symbol of the plight of all his fellow captives.

Navy Cdr. Richard A. Stratton 41, whose gaunt features were pictured in a widely published photograph from Hanoi, was the first man off his homecoming flight at Travis Air Force Base, Calif.

"I'm free!" declared Stratton, throwing his arms out in jubilation and throwing kisses to the crowd that greeted the 19 newly liberated prisoners at plane-side.

Two other giant, black-nosed C-141 Starliners arrived at Andrews Air Force Base near Washington, D.C., and Kelly Air Force Base, Tex.

Stratton looked pale but healthy, a contrast to when he was photographed March 4, 1957, while allegedly confessing "war crimes" two months after his A-1 Skyhawk was shot down over North Vietnam.

Stratton and four others on the flight stood before the cheering crowd and Stratton declared:

"We stand before you today the same way we faced the enemy—shoulder to shoulder. We're American fighting men and we're never forgotten," said Stratton, of Palo Alto, Calif.

His wife said last week she thought the Hanoi news conference was a "staged performance" by the POWs to

show "how horrible their treatment was"

Navy Lt. Cdr. Everett Alvarez Jr., who spent 8½ years in Communist hands and was the first pilot shot down in North Vietnam, was at Travis to greet the returnees.

The repatriated men first landed on American soil when their flights stopped in Hawaii for refueling.

One returnee became ill and had to remain in Hawaii Air Force Lt. Col. Leo R. Thorsness of Siroden, Minn., and Scout Falls, S.D., developed a fever and chills on his flight and was admitted to Tripler Army Hospital in Honolulu.

A hospital spokesman said Thorsness, who was scheduled to fly eventually to Scott Air Base in Illinois, was suffering a sore throat and fever. It was not known how long he would have to remain hospitalized.

Yesterday's homecoming flight brought to 259 the number of American POWs returned since the cease-fire. Another 256 still are to be freed, according to Hanoi.

A total of 1,26 POWs were freed last Sunday and Monday, and 20 other former prisoners returned to the United States Wednesday.

WASHINGTON POST, March 13, 1973

## A Prisoner for 20 Years Downey, Freed by China, Visits Ailing Mother

By Bill Richards

Special to The Washington Post

NEW BRITAIN, Conn. March 12—Former CIA operative John T. Downey, freed Sunday after 20 years in Chinese prisons, came home tonight after racing halfway around the world to be at the bedside of his gravely ill mother.

Downey, 42, looked fit and energetic after the final six-hour leg of a flight aboard an Air Force jet that began in Hong Kong Sunday and ended at 8:32 p.m. at Bradley International Airport near Hartford, Conn. The flight was the first Downey had ever made aboard a jet.

Downey was greeted by Connecticut Gov. Thomas K. Meskill an old friend and schoolmate. Downey bounded down the stairs of the plane after it taxied to a halt and clasped Meskill in a big hug. The governor was responsible in part for arranging Downey's release Sunday.

Obviously in a hurry to get to his mother, Downey

told a cheering crowd of well-wishers at the airport. "It's great to be back. I just want to thank everyone for their kindness, the President and Thomas, my buddy."

Downey and his brother William, a New York City attorney, were driven in a limousine with a Connecticut State Police escort the final 30 miles from the airport to New Britain General Hospital. Their 73-year-old mother, Mary, has been on the hospital's critical list from a stroke she suffered last Wednesday.

It was Mrs. Downey's critical condition that prompted Meskill to ask President Nixon to intervene in her son's case. Chinese Premier Chou En-lai agreed to have Downey released three years ahead of schedule. The Chinese sentenced Downey to life imprisonment in 1953 after he was shot down over China while on a CIA mission during the Korean War.

His sentence was commuted to 24 years in 1971.

Downey was met at the hospital tonight by more than 800 persons holding "Welcome Home" signs and cheering. Windows up and down the length of the five-story hospital building were also filled with cheering patients.

Mrs. Downey, who made five trips to China seeking to free her imprisoned son, was not told of his release until moments after his arrival at the hospital.

"My sister June and I walked into her room while Jack waited outside," said William Downey, "and we told my mother we had good news. There was a little bleep in her pulse rate but nothing extraordinary when we told her Jack had come home."

Hospital authorities said Mrs. Downey made a "miraculous" recovery from a semiconscious condition during the weekend.

Downey was admitted to the hospital as a patient after his arrival and quickly ushered into a waiting elevator which took him up to his mother's floor. A hospital spokesman said he would be housed in a room on the same floor as Mrs. Downey.

Downey was unable to meet with reporters because of extreme fatigue, a hospital spokesman said.

# Last U.S. Prisoners Quit China

CLARK AIR BASE, The Philippines, March 15 (AP) — Two U.S. military pilots, the last Americans held prisoner in China, arrived at Clark Air Base today and joined 108 other POWs awaiting flights home. They appeared in good shape.

Air Force Maj. Philip E. Smith, 38, of Roodhouse, Ill., and Lt. Cmdr. Robert J. Flynn, 33, of Colorado Springs, Colo., were flown from Hong Kong where they had crossed the border from China several hours earlier.

Both were shot down while flying in the Vietnam war — Smith on Sept. 20, 1965, when he strayed over China's Hainan Island, and Flynn on Aug. 21, 1967, when a North Vietnamese Mig attacked him near the Chinese border.

Three days ago, the Chinese freed another American prisoner from another war, John T. Downey, a CIA man in the Korean war. His plane was shot down Nov. 29, 1952.

North Vietnam released 107 American fliers and a civilian on Wednesday, and the Vietcong are to turn over 27 military men and five civilians Friday in Hanoi.

That will leave 146 American POWs listed as still in Communist hands, including seven servicemen and two ci-

vilians in Laos. All are to be freed by March 28, the deadline set by the Vietnam cease-fire agreement.

The more than 1,000 servicemen still listed as missing in action in Vietnam are probably dead, newly freed prisoners of war have told military debriefers here.

[There are no more Americans held in North Vietnam beyond those already listed as POWs, a North Vietnamese editor said, according to United Press International. "We have no reason to keep them," Hoang Tung, editor of Nhan Dan told a group of visiting U.S. newsmen during an interview.]

The POWs said the men probably died from wounds unattended by their Communist captors, were killed when their planes crashed or died after parachuting into dense, uninhabited jungle.

It is unlikely any of the men are still being kept secretly, the POWs said. The men said they probably would have heard something since they were circulated regularly among five or more POW camps. Despite the men's report, military officials are still hoping for some word that at least some of the 1,000 men,

not including 208 men believed to have been lost in Laos may still be alive.

They pointed out that Bobby Joe Keesee, a civilian mystery man who arrived Wednesday from Hanoi with 107 pilots shot down in 1967 and 1968, was not on the Communist prisoner release list until Monday. A total of 1,327 servicemen are missing in Indonesia.

The Defense Department plans to set up a headquarters in Thailand to search for the missing men even if it takes years. The search base will be at Nakorn Phanom, a U.S. Thai air base on the Laos border that has been used for convert operations and rescue missions.

Flynn and Smith entered Hong Kong over the covered bridge spanning the Shum Chun border river after Red Cross representative Eugene Guy met them on the Chinese side and signed a receipt for them. Both were smiling broadly, and Flynn was smoking a cigar Guy gave him.

A helicopter took the pilots to a Royal Air Force field where a U.S. hospital plane was waiting for them.

Like the other POWs, Smith and Flynn were welcomed at Clark by Adm. Noel Gayler, commander-in-chief of U.S.

forces in the Pacific. Smith said, "All I want to say is it's wonderful to be home."

The men freed from North Vietnam on Wednesday stayed awake most of their first night outside captivity, talking ebulliently to each other and the hospital staff.

"I used to have dreams about being home, but when I awoke I realized that I was still in captivity," said one POW who had finally dozed off. "I dreamed again last night about being free, and when I woke up this morning it was like a dream come true."

All the men have been pronounced in good mental and physical condition.

## WASHINGTON POST

WAR 17 1973

# 32 More POWs Land in Philippines

CLARK AIR BASE, The Philippines, March 16 (AP)—A U.S. Air Force hospital plane brought 32 more American prisoners of war from Hanoi to the Philippines today, completing the third phase of the POW release.

The 27 military men and five civilians joined 108 POWs released by North Vietnam Wednesday and two Vietnam war pilots freed by China yesterday.

The men released today were captured by the Vietcong in South Vietnam. They included Maj. Floyd J. Thompson, 39, the American held longest in captivity, and Philip W. Manshard, 31, of the State Department, the highest ranking civilian captured during the war.

The men freed Wednesday will begin leaving for the United States on Saturday, and most of the 142 freed this week are expected to be home by early next week.

Like the prisoners released earlier, the men who arrived here today were pale and underweight. But doctors on the flight said none of them had any major medical problems.

One of the biggest cheers from the crowd welcoming the men went to Army Sgt. Ronald L. Ridgeway, 23, of Houston, Texas, who had been reported killed at Khe Sanh in February 1968. The Army shipped home remains believed to be his, and his mother did not learn he was alive until Hanoi handed over the POW list at the end of January.

Air Force Col. Theodore W. Guy of Tucson, Ariz., the senior officer among those released today, told a welcoming crowd at Clark Air Base he had no doubts that the heavy bombing of Hanoi and Haiphong in December helped hasten the end of the war.

"We are grateful that we had a President that made those decisions," said Guy, 43, who was captured on March 22, 1968.

His words were in sharp contrast to antiwar and anti-military statements attributed to a dozen of the men in the group by Communist broadcasters since 1968. However, all came off the plane smartly, saluted the colors and were cheered by the crowd.

Air Force Col. James Bennett, leader of the group which organized the POWs' return, told reporters that he

was not aware of press reports that eight of the 32 men released today belonged to a "peace committee" while in prison and refused to cooperate with the captured officers who acted as leaders of the prisoners.

Maj. Thompson, a member of the Special Forces, who was captured on March 26, 1964, wore a new Green Beret given him by a member of the plane crew.

"They're going to have to fight like hell to get this off my head this time," he said.

NEW YORK TIMES, March 17, 1973

## Longest-Term P.O.W. Freed With 31

By JAMES P. STERBA  
Special to The New York Times

CLARK AIR BASE, the Philippines, March 16—(Ma). Floyd J. Thompson of the Army's Special Forces, who spent nine years in captivity, longer than any American military prisoner of war known, was released by the Vietcong in Hanoi today.

Presented with a green beret, the symbol of the Special Forces, while on his way to Clark, the 39-year-old Major put it on and was reported to have said "They're going to have to fight like hell to get this off my head this time."

Major Thompson was among 27 American military men and 5 civilians who were turned over to United States officials at Gia Lam airfield by representatives of the Vietcong's Provisional Revolutionary Government. Among the others was Philip W. Marhard, 51, the ranking United States Government civilian captured during the war. He was a Foreign Service officer assigned as a senior advisor in Thua Thien province when he was captured in Hue on Jan. 31, 1968, during the Tet offensive of that year.

Also released today was a Marine sergeant, Ronald L. Ridgeway, 23, of Houston, mistakenly pronounced dead after a Communist ambush near Khe Sanh in 1968. The remains of an unidentified person were sent to Sergeant's Ridgeway's parents and buried under a gravestone bearing his name.

A Marine Corps escort boarded the plane from Hanoi, showed Sergeant Ridgeway a news article in today's Pacific Stars and Stripes about the mistaken burial. The sergeant said that he learned about it a

few days ago when the North Vietnamese delivered some news clippings to his prison cell.

The released prisoners appeared thin, but with no obvious physical ailments as they debarked here, wearing the gray jackets and blue trousers and shirts that those released previously wore. All appeared to have recent haircuts.

Following set procedure, the senior officer among them, Col. Theodore W. Guy of the Air Force, 43, got out first and read a brief statement from a piece of yellow paper that he pulled from his pocket.

"Dignity and honor and love of country are three things most of us treasured and thought of for many years," he said. "On behalf of the men in this group, I would like to thank the President of the United States, Mr. Nixon, for bringing us home with this dignity and honor, and for allowing us to return to our beloved America."

"There is no doubt in my mind," the colonel's statement went on, "that the decisions that were made in December to bomb key targets in North Vietnam hastened an end to this war and brought us home today. We are grateful that we had a President that made those decisions."

"I would like also to thank the people of the United States, the American public and all those responsible for the wonderful reception that we have received so far. We want to thank you all very much."

Colonel Guy, born in Chicago, was on a bombing mission over Laos on March 22, 1968—long

before the United States admitted that its planes were bombing Laos—when his Phantom jet disappeared. He was listed among the 456 American military men captured in North Vietnam, rather than among the seven soldiers listed as captured in Laos, according to military officials here. None captured in Laos have yet been released.

With the releases today 146 Americans and one Canadian, captured in North Vietnam, South Vietnam and Laos, remain in captivity, according to lists that Communist officials gave. American officials in Paris on Jan. 27, under the cease-fire agreement, those listed were to be released by March 28.

Major Thompson was the first American soldier known to have been captured in the Vietnam war, though Pentagon officials said for years that the first was Lieut. Comdr. Everett Alvarez of the Navy, the first pilot shot down in North Vietnam. Major Thompson was captured on March 26, 1964, more than four months before Commander Alvarez.

NEW YORK TIMES, March 22, 1973

## RELEASE DATE SET FOR LAST P.O.W.'S

138 to Be Freed in Hanoi on  
Saturday and Sunday

SAIGON, South Vietnam, March 21 (AP) — The North Vietnamese and Vietcong delegations announced today that they would release the final group of 138 American prisoners in Hanoi on Saturday and Sunday.

The Communist delegations asked the United States to pull out its remaining 5,300 troops by the weekend, three days in advance of the March 28 deadline for completion of freeing prisoners and withdrawal of United States troops.

United States officials indicated they would make a major effort to comply. The United States has the facilities to move that many troops in four days.

The North Vietnamese and Vietcong delegations called a meeting of the four-party military subcommittee on prisoners for tomorrow morning to turn over the lists of Americans scheduled for release over the weekend.

It is expected that the United States, immediately after receiving the lists and transmitting them to Washington for notification of next of kin, will begin the last of its troop withdrawals.

Phuong Nam, chief spokesman for the Vietcong delegation, said that 31 American prisoners of war captured in South Vietnam would be released at Hanoi's Gia Lam airport on Saturday.

Bin Tin, the chief spokesman for the North Vietnamese delegation, said 107 American servicemen captured in the North would be released at Gia Lam on Sunday.

He said he still had no word on seven American servicemen and two civilians listed as captured in Laos. He said they would not be in the groups being released Saturday and

Sunday, but would be freed nam with 6,300 troops still "very soon afterward" remaining, but said it would

"There is a question of ~~my~~ resume the pullout once it of urgency involved," he said of finally received the lists of the prisoners listed as captured prisoners and the date they by the Communist led Pathet would be turned over.

Mr. Tin said Maj. Gen. Le that the plans for the release Quang Hoa, chief of the North were agreed to during a four-Vietnamese delegation, had told and a half four meeting of the the United States side that he four party Joint Military Com would do all he could to make his own's subcommittee in contact with the Pathet Lao and prisoners. The subcommittee seek a quick release of the made up of representatives of prisoners.

A spokesman for the United, nam, South Vietnam and the States delegation said Hanoi/Vietcong was responsible for the re- The spokesman also repeat turn of American prisoners held ed that one South Korean pris- oner would be released at the in Laos.

The United States paused in Pho, 100 miles south of its troop withdrawal from Viet-Nam, on Sunday.

WASHINGTON POST

MAR 25 1973

# Vietcong Sets New Demand On Prisoners

From Press Dispatches

SAIGON, March 24—The release date for the last group of American POWs in Indochina remained uncertain Saturday as the Vietcong presented a new condition for their freedom.

At the same time, however, the problem of U.S. prisoners in Laos, which has been holding up the release — originally scheduled for this weekend — appeared to move closer to solution.

North Vietnam said the Pathet Lao had agreed to free the nine prisoners in Laos, but there was no agreement yet on the time or place.

The new conditions were by the Vietcong—that the 15 Marines who guard the U.S. embassy here be withdrawn at the same time as the 825 U.S. officers attached to the four-power Joint Military Commission — was presented at Saturday's commission session.

The Vietcong also demanded that all other U.S. troops be pulled out of Vietnam by Wednesday, March 2, which is the deadline in the Paris agreement set for troop withdrawal and prisoner release.

Brig Gen. John A. Wickham Jr., deputy chief of the U.S. delegation to the JMC, indicated that the new conditions were unacceptable and would have to be negotiated.

He defended the presence of the Marine guard at the embassy as "legitimate and normal" and called the Vietcong condition an attempt to "interfere in . . . the normal diplomatic structure."

Lt. Col. Bul Tin, press officer for the North Vietnamese delegation, supported the Vietcong demand. He told reporters, "It is unreasonable that they should demand so many Marines to protect the embassy." But he added, "We are ready to discuss an acceptable figure with the U.S. side."

The Vietcong conditions were contained in a letter accompanying a list of the last 32 American prisoners.

Wickham said the list was accepted, but "on the basis that there are absolutely no conditions attached to it."

Meanwhile, the Pathet Lao promise to release the nine POWs captured in Laos was relayed to the U.S. delegation by North Vietnam at the JMC session.

Wickham renewed the U.S. demand that North Vietnam guarantee the time and place of release. The pullout of the American troops, he said, depends on "the receipt of lists of all—repeat all—POWs and the dates and times of release."

North Vietnamese spokesman Bul Tin told newsmen later that "We are doing our best to resolve this issue." The Pathet Lao have assured the United States, through our delegation, that the release will take place," he said.

North Vietnam's chief delegate to the JMC, Maj. Gen. Le Quang Hoa, said his side would deliver a plan to the U.S. delegation Saturday with details on how the 139 Americans held prisoner in North Vietnam could be released within the cease-fire agreement deadline for pickup type.

In addition to the Marine guard demand, the Vietcong proposal stated that the last phase of the withdrawal of U.S. forces should begin on Monday and be completed by Wednesday, leaving in Vietnam only the U.S. military team charged with accounting for Americans listed as missing in action.

The Vietcong also rejected U.S. accusations that missiles had been set up, for the second time, south of the Demilitarized Zone in violation of the cease-fire agreement.

The U.S. charges, said Col. Vo Dong Giang, deputy chief of the Vietcong delegation to the JMC, were part of a "campaign to cover up the illegal introduction of U.S. armaments from Japan." He insisted that all Vietcong weapons had remained in place since the cease-fire.

The South Vietnamese command Friday reported a two-hour truce between government troops and Communist forces surrounding Tonslechan base camp, 50 miles north of Saigon, to allow 22 wounded

South Vietnamese rangers to be airlifted out. The rangers had been without medical treatment for two weeks during intense Communist attack.

WASHINGTON POST, March 27, 1973

# POW Dispute Over; Release Starts Tonight

From News Dispatches

SAIGON, March 27 (Tuesday)—The release of the final 148 American prisoners of war held in Vietnam and Laos will begin tonight in Hanoi and all U.S. POWs are scheduled to be free by Thursday.

In announcing the break in the six-day-old dispute over the release of prisoners, U.S. officials said a total of 5,324

American troops will be flown out of Vietnam Wednesday and Thursday.

In Key Biscayne, Fla., White House press secretary Ronald L. Ziegler called the agreement "very good news" and said that President Nixon approved the terms personally and was "particularly gratified."

The withdrawal of U.S. forces in the next two days will leave in Vietnam only the 50 military advisers and 150 Marine guards attached to the U.S. embassy and the 825 servicemen serving on the four-party Joint Military Commission.

The JMC is scheduled, however, to become a two-party body with the completion of POW releases and troop withdrawals, and North Vietnamese representatives said the 825-man Hanoi and U.S. delegations would fly home Friday and Saturday.

U.S. sources described this timetable as tentative.

The final release of American POWs and withdrawal of U.S. forces from Vietnam, which will now be completed one day past the Wednesday deadline set in the Paris cease-fire accord, had been stalled by a dispute over nine U.S. POWs held in Laos.

The United States had declared last week, and President Nixon reaffirmed Sunday, that the remaining U.S. troops would not leave Vietnam until the nine Americans held in Laos were freed.

The Vietnamese Communist delegations had insisted that prisoners held by the Communist-led Pathet Lao were not covered in the Paris cease-fire agreement, and that it was up to the Pathet Lao when and where they would be released.

Then last night, the Pathet Lao announced readiness to free the nine Americans at any date. A meeting of the JMC was arranged, and the impasse was broken early today with the announcement that the nine will be released Wednesday in Hanoi.

According to the timetable now set for the final prisoner releases, the last group of 32 U.S. POWs held by the Viet-

cong will be released this afternoon at Hanoi's Giap air port.

They will board a U.S. C-141 hospital plane and be flown to Clark Air Base in the Philippines for medical tests before returning to the United States.

On Wednesday, the Pathet Lao will free the nine Americans they hold and North Vietnam will release 40 more Americans, all at Giap. The POW release will be completed Thursday when Hanoi frees the final 67 U.S. POWs held in the North.

When the final releases are completed, 587 American military and civilian prisoners will have been freed by North Vietnam, the Vietcong and Pathet Lao since Feb. 12.

The agreement today settling the POW dispute made no mention of Communist demands that the United States should withdraw the 150 Marine guards from the U.S. embassy along with the pullout of the rest of the American troops.

The United States had rejected this demand on the grounds that all U.S. embassies have Marine guards and that 150 is not too large a number for the big embassy here.

U.S. sources said today this demand was a "nonissue" which was not even discussed at the meeting held to break the prisoner deadlock. Vietcong press officer Capt. Phuong Nam told newsmen after today's meeting that the size of the U.S. embassy guard would be discussed later.

In reply to questions at the Florida White House, Ziegler said the United States had no reason to believe that any American prisoners were being held back anywhere in Indochina. He also stressed arrangements under which the United States and Communist parties to the cease-fire agreement would search for Americans missing in action in the hope that some of them will be found alive.

CHICAGO TRIBUNE, March 28, 1973

# 32 more POWs fly to freedom

From The Associated Press

**CLARK AIR BASE, P.I.**—Viet Cong prison camps were cleared of Americans yesterday as 32 happy and apparently healthy ex-captives—vanguard of the final wave of POWs to be freed in Indochina—returned "to start again our life."

The 27 military men and 5 civilians released in Hanoi including the last American captured in the Viet Nam War, began a three-day operation that will see every U.S. POW return to freedom by tomorrow.

"Man's most precious possession, second only to life itself, is freedom," said Army Col. Benjamin Harrison Purcell, 47, of Columbus, Ga., spokesman for the latest returns. "Today, 32 of us have regained our freedom and the chance to start again our life."

**ANOTHER 9** Americans and one Canadian captured in Laos will be released today in Hanoi, along with 40 war prisoners still held by the North Vietnamese.

The last 67 known American POWs will be freed in Hanoi tomorrow, one day later than called for by the Viet Nam

Yesterday's release by the Viet Cong had its anxious moments.

American officials waited anxiously for two hours at Hanoi's bomb-scarred Gia Lam Airport for the prisoners to be turned over.

It turned out that the delay was due to the late arrival of members of the four-nation International Commission of Control and Supervision to oversee the repatriation.

**FINALLY, THE POWs** were brought to the airport and put aboard the C-141 Starlifter hos-

pital jet which brought them here. The U.S. Command in Saigon held up U.S. troop withdrawals until the men actually were airborne.

Among those arriving at this air base's reception center was Navy Lt. Cmdr. Phillip Keintzler, 32, of Poway, Cal., the last American to be captured. He was shot down Jan. 27, the day before the Viet Nam cease-fire took effect.

He bounded off the plane wearing long sideburns, a clear indication he was captured only 60 days ago. Most POWs here not allowed sideburns at the time of their capture.

A crowd of 300 cheered the POWs, and a delegation of 20 Hawaiians carrying a sign reading "Aloha sons of America" met three POWs from the 5th state. Purcell told the well-wishers:

"Throughout the years, our faith in our country, in our way of life, and in our President has been unswerving. At this time we wish to express our thanks to President Nixon and to the American people for keeping faith in us."

**PURCELL, ALL** five civilians, and Army Sgt. IC Donald Rander of Owings Mills, Md., were captured during the 1968 Tet offensive. They were the longest held among the group.

The ex-prisoners, center of a week-long controversy with

North Vietnamese officials, were soon taking hot showers, making phone calls to their families, and eating a meal of steaks, eggs, and ice cream.

A high Operation Homecoming official expressed hope last night that the remains of U.S. servicemen whose bodies are

in Communist hands will soon be turned over.

Brig. Gen. Russell Ogan told a news conference here that return of the bodies—called the "last POWs" by Clark officials—becomes top priority now that the remaining U.S. prisoners are being freed.

The dead could include 1,100 servicemen listed as killed in action whose bodies were never recovered, he said. The general also held out hope of getting additional information on the 1,328 servicemen listed as missing in action in Indochina.

Ogan, 42, is director of prisoner of war and missing in action affairs for the Office of the Secretary of Defense.

WASHINGTON POST, March 28, 1973

# Lao-Held 10 POWs Set Free

## Final Pullout Of U.S. Troops Is Under Way

From News Dr. ...

Ten prisoners of war captured in Laos were released in Hanoi Wednesday after a week of tough diplomatic sparring during which President Nixon suspended for a time withdrawal of U.S. forces from Vietnam.

U.S. officials in the Philippines said a hospital jet carrying the ten—nine Americans and a Canadian missionary—took off from Hanoi's Oldam airport Wednesday (11:30 p.m. Tuesday, EST) for Clark Air Base. Another plane was standing by to transport 10 prisoners held by North Vietnam.

The release of the prisoners held in Laos had been delayed more than two hours, but the POWs suddenly appeared at the airport and were quickly loaded aboard the jet. Officials did not explain the reason for the delay.

On Tuesday the last 32 Americans held by the Vietcong were released in Hanoi and flown to Clark Air Base. Simultaneously, American soldiers began leaving Vietnam.

A massive airlift involving commercial and military transport jets is to take more than 5,200 remaining U.S. troops out of Vietnam by Thursday.

The usual 18-man advance party that has come to Hanoi for other POW releases was kept away Wednesday "at their (the Communists') request," American officers said. Both sides were satisfied to keep the release low-keyed.

The final group of 67 U.S. prisoners, all of whom are being held by the North Vietnamese, is scheduled for release Thursday.

Almost 1,600 U.S. troops left South Vietnam Tuesday. Another 1,800 troops are slated to leave Wednesday and 2,500 are scheduled to be flown out of Vietnam Thursday. The final contingent of U.S. soldiers, 825 men assigned to the Joint Military Commission, is scheduled to be pulled out Saturday to end America's 12-year involvement in Vietnam.

When they leave, the only uniformed Americans remaining in Vietnam will be 159 Marine guards at the U.S. embassy in Saigon, and 50 men assigned to the Defense Attache Office.

At the height of the American presence in April 1969, there were 543,400 U.S. troops in South Vietnam.

The 32 POWs who arrived at Clark Tuesday night received a cheering welcome. All appeared underweight, and several appeared uncertain as to how to react after they stepped into the dazzling beams of floodlights and were greeted by the shouting well-wishers.

"Today 32 of us have regained our freedom and a chance to start again our life," said Col. Benjamin H. Purcell, 43, of Columbus, Ga. We wish at this time to express our thanks to our President Nixon and to the American people for keeping faith with us."

A U.S. officer who flew to Hanoi Tuesday to assist in collecting the 32 POWs said later he was hopeful that the bodies of America's war dead in Communist hands would soon be turned over to U.S. officials.

But the officer, Brig. Gen. Russell Ogan, said he could take up to five years to get a full accounting for nearly 2,500 U.S. servicemen missing or killed in action in Indochina. He said there were roughly 1,328 missing in action, in addition to 1,100 persons killed in action whose bodies have not been recovered.

Three of the 10 prisoners released by the Pathet Lao are civilians who were working in Laos as missionaries. They include two Americans—Ernest C. Brace, 41, of Atlanta, Ga.; and Samuel A. Mattix, 26, of Centralia, Wash.—and the Canadian, Lloyd D. Opell, 21, of Port Albert, British Columbia.

NEW YORK TIMES, March 29, 1973

# 49 More Americans Free; One a Prisoner Since '65

CLARK AIR BASE, The Philippines, March 28 — The Communists freed 49 more American prisoners in 20 hours today, including a charter pilot held since 1965, one of the longest American prisoners held longest by the Vietcong.

Also among the men freed were nine American and one Canadian missing since captured in Laos.

Two big flying hospitals brought the men from the North Vietnamese camp to Clark Air Base, the first stop on their trip home.

The 10 prisoners of the Patet Lao arrived first in mid-afternoon. The 49 other Americans, who had been prisoners of North Vietnam, landed three hours later.

Along with 27 American servicemen and 3 civilians released by the Vietcong in Hanoi yesterday and 67 prisoners to be freed tomorrow, they are the last prisoners to be released by the Communists under a repatriation program that began Feb. 12.

When the 67 are handed over tomorrow, a total of 559 American military men and civilians will have been released since Feb. 12.

They had been billed as the last Americans in Communist custody, but the Vietcong announced in Saigon today that one more United States prisoner would be released. He was identified only as Whelan, from Virginia, a captive since 1969. Officials said his release

was being arranged for near the Mekong Delta village where he was captured.

The C-141 carrying the former Patet Lao prisoners had to circle Clark Field for 20 minutes because a T-33 trainer had blown a tire on landing and was blocking the runway.

Lieut. Col. Walter M. Stischer, 42, of Austin, Tex., was the senior military man freed by the Laotians. The Air Force officer told the crowd of well-wishers: "On behalf of all of us I would like to thank you and all of the people of the United States of America for making our return possible. Thank you."

### Appear in Good Condition

The 10 men all appeared in good condition. Two of them, Lloyd D. Oppel, 21, the Canadian missionary from Central Washington, waved their arms exuberantly. Mr. Oppel and Mr. Mattix were captured last Oct. 28 when the Communists overran the town of Kengkok, in southern Laos.

Ernest C. Brace, 41, the charter pilot, appeared on the verge of tears as moved down the red carpet shaking hands with the welcoming officials. When he smiled, several of his front teeth were missing. Mr. Brace, whose wife lives in Atlanta, was captured on May 21, 1965.

One of the officers who escorted the men here said they had reported that they were transferred from Laos to North Vietnam about a year ago. He said they had been with the other persons captured in Vietnam "for about the last month."

The prisoners all appeared

well and all saluted smartly before coming down the ramp. The crowd of base personnel shouted greetings and waved placards with goodwill messages.

One exuberant group broke through the security guards to hug men on the second flight.

"Every girl here has a husband who is a fighter pilot," said Mrs. Peggy Mozley of Atlanta. "We wanted to welcome them home because they went down in the place of our husbands."

Mrs. Mozley's cousin, Capt. David B. Grant, 30, of Chattanooga, Tenn., was one of the prisoners who returned.

Col. Joseph W. Kittinger Jr., 44, of Orlando, Fla., the senior man on the second flight, thanked the cheering crowd for waiting into the evening for their arrival. The Air Force officer said their release resulted from the "will of God, the integrity of our President, the determination of the American public and the resolution of our services."

"We are very proud to be American — and back," he added.

NEW YORK TIMES, March 30, 1973

# Thousands See Release of Last P.O.W.

By MALCOLM W. BROWNE  
Special to The Times

HANOI, North Vietnam, March 29—As tens of thousands of North Vietnamese watched and smiled and waved, the last 67 American prisoners flew out of Hanoi to freedom today.

Despite a few minor hitches in the final ceremony, several of the North Vietnamese officials seemed to be in an almost playful mood, and they drew praise from American officers who flew here to accept the release of the prisoners for "straightforward and professional" negotiating.

Col. Barney Russell of the Army came as the American representative of the Four-Power Joint Military Commission. He and his Vietnamese and North Vietnamese counterparts were taken to Nga Tu So prison with representatives of the four-nation International Control Commission.

The American prisoners, still dressed in their striped maroon and purple uniforms, betrayed no emotion on suddenly seeing a crowd of their countrymen in their confinement. Senior prisoners called the men to attention quickly, as Colonel Russell entered the cells.

Later the prisoners boarded white and green camouflage army buses for the 10-minute ride through crowded downtown Hanoi and across the newly repaired Long Bien Bridge to Gia Lam Airport.

The prisoners stood in two columns at the airport and Lieutenant Nguyen Minh of the North Vietnamese Army, and the many Communist officers at the ceremony who spoke fluent English invited them to advance as he called their names. When they did so they were greeted by Brig. Gen. Russell G. Ogan of the Air Force, head of the prisoner-of-war section of the Office of the Secretary of Defense.

Each American saluted General Ogan—one saluted with his left hand while carrying the flight bag issued by the North Vietnamese in his right—and most made a few comments.

"I feel wonderful," one said. "I'm like a new man." Another commented. A third said, "I like the way you treated me."

When only one American remained, the last of the Americans, he read and recited about 100 names of prisoners, including his own, for a full minute. The prisoners

Lieut. Comdr. Alfred Howard Agnew of the Navy, held straight ahead, but showed both mild anxiety and amusement. Many of the 20 or so Vietnamese looking on began to giggle at the long pause, and then to leave waywardly.

Colonel Agnew, whose home was near as he was the last American to be flown over North Vietnam—on Dec. 28.

The prisoners quickly boarded the two United States Air Force C-141 jet transports that were to take them to Clark Air Base in the Philippines.

The Americans, all of whom were captured during the period July 2 to Dec. 31, last year, were said by the North Vietnamese to include 27 B-52 crew members.

Two of the others were reported to have been the crewmen of an F-111, a strike wing fighter-bomber. They are the only pilots known to have survived among those shot down in that type of plane over North Vietnam.

The North Vietnamese officials said 41 Americans were captured in the final 12 days of bombing alone.

No Cheers, but No Insults

Among the Vietnamese who watched the release of the prisoners were a young man and woman said to have captured one of them. The woman, 23-year-old Kim Dung, pointed to the American as he was freed, smiling to friends as she identified him.

None of the Vietnamese cheered the prisoners, but no insults were shouted. Some smiled and waved.

Some of the men released today had skin rashes, but all walked normally and seemed in good health. One, John Clyde Ensch of Illinois, had a badly deformed left arm and hand, presumably because broken bones had not been properly set.

No members of the North Vietnamese Politburo attended the ceremony.

For the first time North Vietnam admitted a large group of Western correspondents—25 in all—to cover the prisoner release, do some sightseeing and talk with officials.

At least one American official, Colonel Russell, was disturbed by the presence of newsmen. He canceled a request he had made to interview prisoners when the North Vietnamese told him American newsmen would have to be present.

All the Americans in Hanoi today, officials and newsmen alike, were repeatedly asked for their views about the prison they had visited. Most appeared unwilling to offer any opinion, and there were many awkward pauses.

The Prison's Future

Generally, however, the North Vietnamese assigned to guide the Americans made little attempt to press on them the kind of propaganda that foreign newsmen have met on previous visits. Several newsmen were encouraged to apply for visas for longer stays.

The Nga Tu So prison, surrounded by a high brick wall topped by barbed wire, will become what it was before, an ordinary government building, the camp commander said.

The cells were fairly large, each apparently housing a dozen or so prisoners. Beds were wooden platforms with mats. The courtyard contained an exercise yard and a stagnant fish pond shaded by many trees.

"This is one of several branches of what the Americans called the Hanoi Hilton," a camp officer said. "This was the one to which Jane Fonda and other American visitors were taken."

Hanoi gave the impression of a city completely at peace. The streets were busy and loud with the noise of children and of construction activity, and the markets were well stocked.

Children in huge groups—the primary schools are closed on Thursdays—lined to follow the newsmen and the bus loads of Americans, cheering and yelling as they ran.

The slow walk-a-raid shelters remain but many are covered over. The bomb damage downtown, most of it minor, is being repaired, although the several blocks of the Kham Thien district are still in ruins and large craters are visible. The heavy damage to Gia Lam Airport has been almost completely repaired. Construction crews with cement mixers, welding torches and spades are patching up the city rapidly.

Comments by Vietnamese chattering among themselves as they watched the prisoners file by included: "He's fat," "He is very young, poor man," and "He looks so rosy."

American officials here said they had made good progress on negotiations during the day with their North Vietnamese counterparts on other loose ends of the Vietnam war.

United States military records still show 1,329 Americans missing in Indochina. The records also show that the bodies of 1,100 who were killed in action have not been recovered.

American officers are hoping to learn the fate of all the missing and to recover as many bodies as possible. General Ogan said this afternoon that there were excellent prospects that the North Vietnamese would allow teams to begin checking crash and battle sites in Communist territory to obtain information.

WASHINGTON POST, April 2, 1973

## Last Known U.S. POW Is Released

By Dan Griffin

WASHINGTON POST Staff Writer

Gaunt and pale from three days of travel by foot and sampan from Vietnam captivity in the Mekong Delta, U.S. Army Capt Robert White, the last known American prisoner of the Indo-China war, arrived at Clark Air Base in the Philippines yesterday.

White, whose survival was reported by the Vietcong only last Wednesday, was the 23rd American freed by Indonesian Communist forces since the prisoner exchanges began on Feb. 12.

Shortly before White's arrival the Associated Press and Agence France Presse news agencies quoted sources at Clark as saying that a Communist had told his escort officer that two American missionaries had been burned alive by their Communist captors.

However, the Associated Press later quoted the Canadian Lloyd D. Oppel, 20, of British Columbia, as saying that he had not witnessed the death of the two missionaries but had learned about it through news accounts.

The charred bodies of the two civilian Americans, 25 of Queens, N.Y., and Beatrice Kinn, 25, of Fort Washington, Pa., were found dead in stoves in the ruins of the village of Kengkok in southern Laos, about five months ago. Oppel was captured in Kengkok on Oct. 28 last year and he represented the same religious organization, "Christian Missions in Many Lands," as the two women had.

Oppel, one of 10 prisoners released last week by the Pathet Lao, flew out of Clark with the last group of prisoners freed in Hanoi. They left shortly before the plane bringing White to the Philippines arrived

Although White, 32, walked with the aid of a stick, an American spokesman said he had been found to be medically fit, but tired from his recent travels. He is to undergo medical tests in the Philippines before being flown to the United States.

White mentioned that he did have a beer for breakfast, a beer for lunch and a slice of sugar cane before arriving at the release point in the Delta, the spokesman added.

His release raised hopes that some of the other 1,300 Americans missing in action, including 308 pilots in Laos, may be alive.

Three former U.S. POWs told a U.S. television audience yesterday that they would support reconstruction aid to North Vietnam, since the "precedent has been set already" following World War II and the Korean War, and that they saw such aid as a step to "stability in Indochina."

The three—Navy Cmdr. Eugene B. McDaniel, Army Maj. William H. Hardy and Air Force Col. Norman C. Gaddis—described their treatment in captivity on the "Answers" news interview show, "Issues and Answers."

All told of mistreatment, but Hardy, who was held by the Vietcong in South Vietnam, said he would not describe his treatment as torture.

"They never beat me," he said. "But the main things that I was concerned about and the things that I can never forgive those people for were starvation and over-work."

Hardy said that South Vietnamese prisoners of the Vietcong had taken his food, giving him only about a quarter of his rations. He also told of being confined in a hole in the ground for 30 days as punishment for an attempted escape.

"To make an escape is considered a serious offense," he said. "In fact, there are four serious offenses," he went on, listing the other three as assaulting a guard, refusing to

make an antiwar statement and refusing to work.

The other two ex-POWs, who had been held in North Vietnam, told of severe beatings and torture to extract military information and, later in their captivity, to force them to make antiwar statements.

They said wounded or injured prisoners were tortured first and only later given medical attention, and they both criticized Jane Fonda and the other antiwar delegations that traveled to North Vietnam to see American prisoners.

McDaniel said, "I know of people personally who were tortured to see delegations and people that delegations—one American pointed a finger at another, at an American POW, and said, 'This man has a bad attitude' to a Vietnamese officer and this guy was tortured because of this. The delegation created a lot of problems for us, the POWs."

Gaddis added that he knew of prisoners who were tortured because they refused to see delegations.

As to the prisoners who showed no sign of ill treatment when seen by delegations, the ex-POWs said that the Communists had chosen some individuals "right from the day of capture for that sort of thing."

North Vietnam's official Communist Party newspaper, Nhan Dan, issued a denial yesterday that the POWs were tortured, saying that the accusations by the ex-prisoners were drummed up by the U.S. authorities to distract attention from American "crimes in Vietnam."

Although the pilots who bombed North Vietnam were "criminals," the paper said Hanoi and its people "treated them well" because of North Vietnam's "humanitarian policy and for the sake of friendship with the American people."

In Philadelphia, however, the Rev. Carl McIntire said he plans to conduct "war crimes" trials of North Vietnamese leaders. "Their war crimes are far greater than any we have been accused of committing," he said.

VII. TREATMENT AND CONDITIONS DURING IMPRISONMENT

WASHINGTON POST

MAR 30 1973

P. A13

## Now They Can Tell: POWs Describe Hunger, Disease in Vietnam Prisons

By John Saar  
and William A. Elton  
Associated Press Writers

Americans formerly held in the jungle prisons of South Vietnam told yesterday of harsh punishments, hunger and disease, but no actual physical torture at the hands of their Vietcong captors.

Freed from restraint by the departure from Hanoi of the last POWs Sgt. David N. Harker of Lynchburg, Va., charged that one-third of the 32 American prisoners he knew died from malnutrition.

"We lived in the jungle for three years and conditions were very bad, very little food and the bulk of the diet was a root," he said.

Harker, who spent the last two years of his captivity in Hanoi, also charged that prisoners who tried to escape were executed by the Communists. Although reluctant to elaborate without Pentagon clearance, Harker, who was released some time ago—said, "They were very hard on persons they recaptured. They just didn't take them prisoner again. They were shot."

Captured in Saigon during Tet in 1969, civilian A1D Harker, Richard Wright of Fayetteville, N.C., was kept in chains for two years in an underground cell—a stave-like altar with a roof of leaves and elephant grass. Medical treatment

was "almost zero," he said.

Although "they never beat us with clubs or stuck bamboo under our finger nails," the prisoners were moved through the jungle in forced marches, he said. "One time I was exhausted so I couldn't go anymore and they pulled me with a rope round my neck like a milk cow."

Utech said the prisoners were fed rice and vegetables, with fish and fresh pork or beef reserved for special holiday treats three times a year. There were no surprise breakfasts. "You could always plan on rice, a cup of salt water or peanuts."

Since his return from four years of captivity in South Vietnam, civilian mechanic John J. Fritz Jr. of Williamstown, N.J., has had his gall bladder removed and been treated for malaria and parasites.

Bitterly critical of poor medical treatment of prisoners by Communist doctors, he said, "I'd rather have an operation from a U.S. Army medic than have one of them give me a shot."

Fritz also was released some time ago as were other former prisoners mentioned in this account.

He said the prisoners were always hungry, sometimes starving. "I don't think there was one day that we weren't hungry."

A survivor of seven years in Vietcong hands, 38-year-old Foreign Service Officer Douglas K. Ramsey said his own particular group was relatively well treated. "Given the war and the indoctrination program which painted all Americans as utter barbarians, I was less surprised at what happened than at what could have happened and didn't."

Contacted by phone at his parents' home in Boulder City, Nev., Ramsey said his worst treatment was from raw recruit guards, who made him do heavy forced labor when he was sick and sadistically taunted him with threats of execution.

"I got terrific heart pains when they made me keep digging ditches when I'd had malaria for a week and chronic anemia." With the understatement characteristic of Ramsey's statements since his release, he added, "I was pretty damn sick."

Once after he accidentally cut his leg with an ax the wound became swollen and remained infected for four months due to inadequate medical treatment and the forced labor, he told a reporter. "I was afraid I would lose the leg and asked for a boot, one boot. The guard refused on grounds I might escape."

Ramsey said that although forced marches were necessary, POWs were sometimes driven unnecessarily hard.

U.S. NEWS & WORLD REPORT, April 9, 1973

## Torture . . . Solitary . . . Starvation POW's TELL THE INSIDE STORY

American servicemen in North Vietnam's prison camps were subjected to physical and mental torture that went far beyond anything their countrymen had been told about when the first men came home.

Until March 29, returning POW's refused to talk about the harsh treatment handed out by their captors. This was official U.S. policy, designed to protect Americans still in Hanoi's prisons against retaliation by the enemy.

Once the last of the 559 Americans had been flown out of Hanoi, the dam burst. From press conferences held in more than half a dozen military hospitals around the U.S. came an unexpected picture of cruelty and mistreatment administered by North Vietnamese guards in the war's early and middle stages to force the POW's into making antwar statements or confessing to alleged war crimes.

- Prisoners were often beaten daily, permanently crippling many and, according to the testimony, killing others.
  - Prisoners were deprived of food and sleep for days at a time to break their will.
  - Prisoners were held for months and even years in complete isolation from fellow captives.
  - Prisoners were shackled in heavy iron bars or chains, and forced to sit, stand or lie down in unnatural positions. Some were roped and hung head-down from the ceiling of their cells.
  - Prisoners were denied medical treatment or it was insufficient to heal injuries and wounds.
- What follows are highlights of stories told by eight returned POW's on March 29.

**Navy Capt. Jeremiah Denton** was a victim of torture on 10 different occasions after being captured on July 18, 1965. In his own words this is what happened.

"They set me on top of three stools, one on top of the other, with my hands tied behind me. After three days, they decided they couldn't get my confession that way. Then they put my arms in stocks so I was unable to stand or kneel and after a few hours they gave me some water and some unsweetened cookies. I think they were trying to increase my pain threshold.

"The next morning they went through what you might call the standard rope trick.

"They would make a loop of rope or tape around an arm and then two of them would pull on the loop until the circulation was cut off.

"One time they found my swollen black hands in worse shape than they wanted for that phase of torture. They decided to loosen the cuffs to let some blood circulate. But the cuffs were on so tight that they had trouble getting them off. The only way they could do it was to take them apart. And that took three days."

Elaborating on his experience after he had helped organize a POW "resistance movement," Captain Denton said:

"I was tortured seven days and six nights in a pitch black room. They beat me very regularly and brutally while I was in large traveling irons with my hands tightly cuffed behind me. It was very cold and I had no blanket, no socks—only sandals and pajamas.

"When I moved, it hurt more. I was like an animal. Not even a healthy animal, like a crippled roach. I was pretty much of a vegetable.

"After four days, I stopped eating because it required about 45 minutes for me to find my bucket and get into position to use it. I had to search for it by snaking around the floor and feeling with my head.

"They can do some interesting things with those cuffs. But that blackness and disorientation—mentally, I was at about 5 per cent at the end of the torture."

**Air Force Col. Robinson Risner**, captured on Sept. 16, 1965, said North Vietnamese guards "would tie your wrists behind you, make your arms pull out of their sockets, bend you until your toes were in your mouth, then leave you in this manner until you acquiesced in whatever they were trying to get you to do.

He described how guards would fasten a 50-pound iron bar to his ankles, then tighten it with gups causing the pain to rise slowly from his ankles until every nerve in his body was "wailing." He added:

"I myself have screamed all night. When they torture you enough, then you scream, you holler."

Colonel Risner acknowledged making propaganda statements for Hanoi after the pain of the torture sessions became too severe, and said:

"I made more than one tape. I wrote what they told me to write. If they told me the war was wrong, I said it was wrong. If they told me I was a criminal, I said I was a criminal." He added:

"Let me emphasize that I am a Christian. I do not hate the North Vietnamese. If we were at war with them, I could take their lives with no remorse. But I have a lot of pity for them—pity for the guards."

**Air Force Lt. Col. John Dramesi** made his first attempt to escape two days after he was shot down on April 2, 1967. On being recaptured 20 hours later, he said, he was beaten until the entire left side of his face and head was bleeding and one eye was swollen shut. Then he was put in leg stocks and forced to sit upright on his bunk for two weeks, lying in his own filth. Guards periodically beat his head against the wall. When the stocks were taken off, he added, flesh from his legs was stripped away at the same time.

This was followed by a two-week period of further torture. He was tied into joint-wrenching positions and his body bolted to heavy iron slabs. His arms were tied above the elbow and below the wrist to cut off circulation, and he was beaten with bamboo sticks and by fists of the guards.

Lieutenant Colonel Dramesi and a fellow inmate, Maj. Edwin Atterberry, combined forces for an escape attempt in May, 1969. They were free for about 18 hours before being recaptured. After that, said Dramesi, "the torture during the next six months was unbelievable."

Eight days after being returned to camp, the Air Force officer was told by the North Vietnamese that Atterberry had died of "an unusual disease." He commented:

"I think some of the others [prisoners] died of neglect. In Atterberry's case, I think he was tortured to death. I have strong reason to believe that."

**Navy Lt. Cdr. Rodney A. Knutson** said that during his first weeks as a captive, after being shot down on Oct. 17, 1965, he was forced to go without food and water for six days and was put in stocks with his arms bound behind him and his mouth by the elbows. He recalled:

"I was beaten to the point of total unconsciousness, my nose and cheeks, both my eyes were swollen shut. My teeth were falling out. My ears then turned over on my stomach in the stocks. All my ropes were still tying my arms together.

"I was beaten across the buttocks with a bamboo club until my buttocks were just hamburger. There was blood splattered against the wall each time the club fell.

"As soon as I started screaming they stopped the beating. Two hours later they came in, turned us over and I was told to sit in an upright position on this wound that I had on my backside.

"I was left that way for six days.

"Periodically they would take me to an interrogation and try to get me to talk. I walked in approximately a 90 degree bend because the scold that I had formed on my backside had sealed into my tight suit and I could not straighten up."

Commander Knutson concluded:

"It has been said by the North Vietnamese that we had received brutal and inhuman treatment. I consent and I am not. Not on your life!"

**Air Force Capt. Joseph Milligan** was suffering from facial and arm burns when he was captured after being shot down on May 20, 1966. Describing the after effects of the only treatment he received—a twice-weekly swabbing of the burns with betadine, Captain Milligan said:

"They were draining quite badly, they were full of pus, they swelled again. One day I noticed some flies flying around my arms. I allowed them to land and lay eggs on my wounds. When the maggots hatched, they ate the dead flesh.

"After the dead flesh was gone, I went over to the buckets in my cell. I urinated over my arms to wash the maggots off, tore up a T shirt and rewrapped my arms. And after that, they let me die."

**Air Force Lt. Col. Leo K. Thorsness** described the nearly six years he spent as a POW as a period of "isolation, intimidation and humiliation as far as the pride of a human being goes."

Colonel Thorsness underwent torture that included having his legs tied together, after which he would be suspended feet up from a meat hook on the ceiling until he had lost consciousness. On other occasions his head was locked between steel bars that shackled his feet.

Once he spent 10 days in the stocks and was not permitted to sleep. He added:

"We feel we are superior, and perhaps rightfully so. But over there you learn all by yourself that you can be broken. They can break a man. You're not the John Wayne type that you might be.

"Thoughts of suicide ran through my mind because I had broken down and therefore had let down my God and my family."

Hardest of all to bear for many of the POW's was solitary confinement, cut off for months and even years from the "outside world"—the prison camp itself.

**Navy Cap. James A. Mulligan** recalled 42 months he spent in isolation out of seven years of captivity.

"I was kept like an animal in a cage. You've been to the zoo. Animals there can look through the bars. I didn't have one bar to look through. I didn't see the moon for years—maybe four or five. It's a very pretty sight."

**Navy Capt. Wendell B. Rivers**, shot down on Sept. 10, 1965, recalled that in isolation "you can get up at 6 in the morning and fall asleep at 8 at night and walk all day in circles around your room. But you have to reverse direction once in a while so you don't fall down."

During one stretch in isolation he was fed nothing but bread and water and he would "cry like a baby." But after "a good cry," he could convince himself he would survive.

TIME, April 9, 1973

## At Last the Story Can Be Told

FOR weeks the returned POWs had been stepping from "freedom birds" onto the television screens—most of them saluting crisply, walking smartly, looking physically fit and acting mentally alert. As the nation's early apprehensions faded, a new idea set in: perhaps the POWs had been humanely treated after all. That illusion was shattered last week. With all the known surviving prisoners safely home from Viet Nam, the Jan of restraints broke, and tales of mistreatment and torture poured forth. Navy Commander Richard Stratton, best known for his deep bows and seemingly drugged appearance in a 1967 news conference, summed up the reports of many prisoners when he said: "I have been tortured, I have been beaten, I have been placed in solitary confinement, I have been harassed, I have been humiliated." Navy Lieut. Commander Rodney Knutson struck the same harsh note: "Concise and humane treatment?" he asked. "Not on your life!"

Prisoners detailed a mosaic of torture ranging from the brutally physical to the ingeniously psychological. They conceded that treatment had varied for each POW, that conditions had improved remarkably by the fall of 1969, and that high-ranking officers had absorbed the worst of it. But mistreatment was clearly widespread, and often brought on by the prisoners' steadfast resistance. As Navy Captain Jeremiah Denton said, "We forced them to be brutal to us." Even those who considered their treatment comparatively mild, such as Air Force Captain Joseph Milligan, often suffered enormously. Provided totally inadequate medical attention, Milligan treated—and cured—a badly burned arm by letting maggots eat away the pus, then cleaning off the maggots with his own urine.

The favorite props of the North Vietnamese captors were lengths of rope, iron manacles that could be screwed down to the bone and fan belts for administering beatings. Prisoners claimed that they were tied up for interminable periods into positions that yogs could not assume. Ropes tied to a man's ankles, wrists and neck were tightened until he was bent over backward in a doughnut shape. Men were also bent forward into a position of a baby sucking its big toe. The ropes cut off circulation, and in several cases paralyzed limbs for months, even years.

**Raw Flesh.** Handcuffs on the wrists of one prisoner were tightened so much that blood came through the pores. Hands and feet often swelled to unimagineable proportions and turned black. Jaws, noses, ribs, teeth and limbs, the prisoners charged, were deliberately broken and left unset. The sick and wounded were left in their own excrement for days on end. Fan belts or lengths of rubber turned buttocks of beaten prisoners into raw flesh. Sergeant Don MacPhail said that he was hung from a tree over three fresh graves and beaten with sticks. He was told that he would be in the fourth grave.

Many U.S. senior officers and uncooperative prisoners of lower rank were held in solitary confinement. Navy Captain James Mulligan was kept alone for 3½ years, Colonel Robinson Risner for 4½ years, and Air Force Colonel Fred Cherry for two years—with an untreated infected shoulder. Said Mulligan last week, "You're isolated in a small cell, with no sound, no fresh air. I was kept like an animal in a solid cage, worse than an animal. I couldn't even see out. I didn't see the moon for four years."

**Fish Heads.** Before 1969 food was kept at near starvation level at the more severe camps. For many prisoners, there were only two meals a day, six hours apart, and they might consist of nothing more than a bowl of watery soup, occasionally with a fish head in it. The bread was often wormy and the rice sandy. Lieut. Commander Knutson said that he and his fellow prisoners ate with one hand on their rice and the other on their soup bowl in order to keep the cockroaches from taking over.

Much of the torture was intended to force "confessions" or extract information. Often prisoners were beaten until unconscious to get them to sign statements about the "humanity" of their treatment. U.S. officials figure that as many as 95% of the POWs captured before 1970 were tortured. Almost all broke. Said Navy Captain Allen Brady: "I never met a man with whom they were not able to gain at least some of their objectives." Most felt, as did Army Major Floyd J. Thompson, that "these propaganda statements just weren't worth dying for."

There were partial victories. When interrogators put a pistol to Captain Milligan's head to force him to give

some intelligence, he garbled that none of the officers present understood English and wrote nonsense after each question. Navy Captain James Stockdale never broke. Asked for information about U.S. ships, he drew a picture of an aircraft carrier with a swimming pool and 300 ft keel. Navy Lieut. Commander John McCain III once listed the offensive line of the Green Bay Packers as the members of his squadron.

Defense Department officials believe that many of the 55 men listed as having died in captivity in North Viet Nam did so at the hands of torturers. According to several POWs, Air Force Major Edwin Atterberry, one of two prisoners who escaped and were recaptured in 1969, was beaten to death.

Although there seemed to be far fewer beatings at the hands of the Viet Cong, conditions in the South held their own horror. One prisoner was buried up to his neck for days. Another, who was suffering from dysentery, was denied medical assistance and finally suffocated in his own excrement. For those well enough to walk, there were endless work details. Army Major William Hardy, captured in 1967, figures that the Viet Cong "treated me like a slave" because he is black and "they believed all they heard about Negroes still being treated like slaves in the U.S."

Colonel Risner named Oct. 15, 1969 as the beginning of improvement in the prisoners' treatment. The credit for the change seems to belong to all the people who tried at about that time to focus world attention on the plight of the POWs—President Nixon, the wives of the POWs, Congress and the media. Embarrassed by world pressure, the politburo in Hanoi may have passed the word to go easier. At any rate, prisoners were allowed for the first time to exercise outdoors for 30 minutes, but behind bamboo screens so that they could not see each other, they got a third daily meal of bread and water, and a third blanket. They began to pass their days in boredom rather than fear. Milligan began to raise a family of spiders in his cell, and watched geckos "mate with each other and grow old."

By the winter of 1970 most of the prisoners had been taken out of solitary or small group cells into large open cell blocks that held about 45 men. It was after they were put together that they were able to organize—and even coordinate a resistance of sorts.

They called themselves the "Fourth Combined POW Wing." Each camp had its own American commandant, as it were. The prisoners adopted Air Force organizational tables—wings, squadrons, operations. A tap code and a hand code were the most effective methods of communicating, but everything helped—the modulations of a cough, the syncope of a broom.

**Flag.** By late 1971 the organization had solidified enough to stage its own psychological warfare. On Dec. 7 they staged a church service in the "Hanoi Hilton." Their North Vietnamese captors called it "the riot." On that day the Fourth Combined POW Wing ordered a mass prayer service in defiance of camp regulations prohibiting meetings of more than 20 men. Ordered to stop, they prayed even louder. When the wing leaders were taken outside the cell block, those inside broke into *The Star-Spangled Banner*.

Such exercises in symbolism proved immensely valuable in sustaining morale. Air Force Lieut. Colonel John Dramest, who escaped with Atterberry in 1969 but was recaptured, began in the fall of 1971 to laboriously stitch together an American flag. He used the threads from a yellow blanket for the gold embroidery, pieces of red nylon underwear and red thread from a handkerchief, white threads from a towel and patches of blue from a North Vietnamese jacket. The flag often flew at night in the Hanoi Hilton cell block that he shared with 40 other men and it was dutifully saluted. "I thought that a flag could be a symbol to which we could attach ourselves, so that we could retain our honor and respect," says Dramest.

In much the same manner as the prisoners sustained themselves on such bits of symbolism, the U.S. has now turned toward the POWs as uplifting symbols—victors, in the sense of having survived in a war that was never won, patriots in a land that had grown weary of the warring. For the moment, their return has provided the only solace at the end of what President Nixon last week described as "the longest and most difficult year in our history."

**TIDE**, April 9, 1973

## Beyond the Worst Suspicions

*On Aug. 3, 1966 TIME's Donald Neff then a Saigon correspondent, interviewed Air Force Ace Major James Kasler—one of the legendary figures of the Viet Nam War—just after his 72nd mission. The story that went to press that week dubbed Kasler a "one-man Air Force" and perhaps the "hottest" pilot in Southeast Asia. Five days later, Kasler buckled into the cockpit of his F-105 Thunderchief for his 73rd—and last—mission. His plane was hit by ground fire, and he was forced to eject. He was held prisoner until a month ago.*

*Last week Neff again interviewed Kasler, now a full colonel, at his home in Indianapolis, and filed this account of the intervening 6½ years.*

AS soon as I was out, I knew I was hurt," says Kasler. "My right thigh was broken, and a piece of bone about eight inches long had split off and jammed into my groin. I landed near some paddies 50 miles south of Hanoi. About 15 villagers jumped me and tore off all my clothes except my shorts. Then they saw my leg. In about five minutes a medic came, gave me a shot and made a splint out of a banana tree. They put me in a fish net and started carrying me—when the planes came."

Word that he had been shot down had touched off a massive rescue effort by nearly 50 U.S. planes. But for Kasler the Viet Nam War was all over, and he wished that they would go away. He was in intense pain and very thirsty, but because of the presence of U.S. planes overhead his captors laid him in a ditch and hid him under banana leaves.

Once the planes had left, Kasler was lashed to a board and driven north in the back of a pickup truck. At each village, he says, "people would hit me and throw rocks and mud at me, and the guards would hit me in the mouth—I guess to show how tough they were. In one village, they gave a little girl a bayonet and took pictures of her holding it to my throat. 'Big heroine.' When we reached Hoa Lo prison camp [the so-called Hanoi Hilton] they put me on a cement floor, and interrogators told me that I must write a 'confession of crimes against the Vietnamese people.' I refused."

His guards soon began to beat him. "I couldn't believe they would beat an injured prisoner. Later I found out that that was their technique to break you. You're most vulnerable when first captured and injured. I finally wrote something like 'We should seek peace at the peace table.' His reward was a shot of penicillin.

Kasler's right thighbone had been set with an iron clamp when he reached Hanoi, but the leg continued to swell under his full body cast. The cast was finally removed and the leg lanced, but the infection spread and the leg puffed up to twice its normal size. For most of that first winter, he lay in fever, alternately freezing and roasting. His roommate, Air Force Captain John Brodak of St. Louis, gave up his own blanket to keep Kasler warm in the 40° nights. "I'm probably

here because of his care," says Kasler. (Brodak, now a major, was released with Kasler.) Often the bandages were not changed for a week and a half. "It was horrible," says Kasler. "All the gore was running out, and flies and mosquitoes flocked to the wound. At one point the stench became so bad that we got a piece of oilcloth to wrap around the leg to hold down the smell." His weight dropped from 167 to 125 lbs. When he asked to see a doctor for his draining leg, he was refused.

By mid-August 1967, the torturing of prisoners in Kasler's building began in earnest; he had been moved from the Hanoi Hilton to another prison in the capital, "the Zoo—that's what it reminded us of." The Vietnamese had discovered that the Americans were communicating with each other by tapping on the concrete walls, and wanted to know who was guilty. Kasler certainly was. With the prisoners' special tap code, he said, he "could send a message through five rooms and get an answer

back in ten minutes. We really got pretty fast at it." The price for being caught was high. Although his leg was still draining, Kasler was subjected to all manner of rope and iron tortures.

"They had these iron manacles with a screw that they could clamp on your wrists or ankles. They'd take your wrists, put them behind you and screw down those manacles to the bone. Then they'd take a rope and pull it through your upper arms and squeeze your arms together or pull them up. They had a lot of tricks."

**Mogoo.** "Many men had their wrists broken and their arms dislocated. The sessions lasted about 45 minutes and they were always accompanied by beatings with fists, slapping on the ears so hard that eardrums were ruptured. The guards looked for any little infraction so they could beat you. Our guard -- we called him 'Magoo' because he looked like the cartoon character, all squinty -- was vicious. He used to come in the cell about twice a week and beat John Buslak and me. Sometimes he'd beat us for no cause, just open the door, come in and knock us around."

From the fall of 1967 through the spring of 1968, Kasler was tortured frequently by Magoo and an interrogator called "the III," because he was a wire-eyed 75-pounder. Kasler was moved into solitary confinement, where he got little medical attention, even though his leg was still swollen and badly infected. But the worst was yet to come. The violent antiwar reaction in the US that followed the Communist 1968 Tet offensive apparently convinced Hanoi that the war could be won by propaganda. A maximum effort was made at the Zoo to get prisoners to appear before various peace delegations and press conferences.

For Kasler, the harshest treatment began on June 25, 1968. He was called before an interrogator nicknamed "Spot" (because he had a white spot on the right side of his head). "He was cordial. He asked me to sit down, gave me a cigarette, asked me about my family -- I'd been allowed one letter at that point. He said he was trying to select a man to celebrate the downing of the 3,000th US plane to tell the American people the truth about the war and appear on TV. I said I wasn't the guy. He said I must. The Vietnamese people had saved my life, he said, had fed me. I said I owed him nothing."

"They demanded that I surrender. They hit me on the ears. They gave me the rope and irons treatment for 45 minutes, then had me kneel, then the irons again. I finally passed out. The third time they gave me the rope and irons treatment, I said, 'Surrender.'"

"They just continued torturing me. They pulled my arms until I passed out again. They made me write that I had sabotaged the Geneva Accords -- it was the whole Communist line. They had this big deal coming up for the Fourth of July with a delegation from some-

where and they badly wanted me to appear before it." Kasler firmly resisted. At one point during a torture session, yet another interrogator pulled out a bunch of newspaper clippings from the US showing all the peace demonstrations. "In one of the pictures, I saw way in the background two guys with American Legion hats holding a sign that said 'Drop the Bomb.' That really bolstered me."

The next morning the interrogator returned with a Caucasian. He was about 35 and six feet tall, black-haired, brown-eyed, and spoke idiomatic English. He was a specialist in torture. The prisoners called him Fidel because he seemed to be Latin, but no one really had any idea where he came from. He obviously was a high official of some Communist country, because he lorded it over the Vietnamese.

Fidel grabbed Kasler by the shirt and demanded, "Who knows you are resisting?" Kasler answered, "Nobody." "Then why?" asked Fidel. "For myself." Fidel promised treatment for Kasler's leg, better food and conditions if he would go before the July 4 delegation. "I refused. He ordered me back on my knees. My broken leg was still killing me. My arms were in irons behind my back. He worked on them with the rope for a while. Then he got a thin wire and wired my thumbs and hands together. He tortured me, working on the rope and wire and irons. After about 45 minutes I was punchy. But I found I had discovered a way to endure."

**Shreds.** "As long as I could concentrate on something else, it seemed as though I could stand the pain. I would start saying the Lord's Prayer, and when I forgot a line I would go back over it and over it. Finally Fidel knocked me over on the floor and asked if I surrendered. I said no."

The torture continued for days. Fidel would beat Kasler across the buttocks with a large white truck fan belt until "he tore my rear end to shreds." At

one point Fidel said, "You are going to see a delegation if we have to carry you on a stretcher." For one three-day period, Kasler was beaten with the fan belt every hour from 6 a.m. to 10 p.m., and kept awake at night.

"By noon the third day I couldn't keep control of my mind. I said I surrendered. They kept beating me on the hour until 6 p.m. By this time I had a gash over the eye where my head had hit the edge of the bed during one beating; my leg was throbbing and bleeding; my back was bloody. I signed a statement agreeing to do everything the camp commandant ordered."

Kasler was allowed to sleep that night. His mosquito net, which had been taken away, was given back, thus sparing him at least the torment of insect bites. For the next two days the guards kept asking him if he surrendered and each time he said that he did. But on the third day his strength was partly back and he answered no.

"I think I made a tactical error. It was around 7 a.m. on a Sunday. Four guards came in and put me on my knees. They began slapping me around. Soon they were using their fists, and one of them pulled out a fan belt and began beating me with it. One blow by a fist on the ear ruptured my eardrum. Blood was pouring down my head. A kick popped one of my ribs. They turned into mad dogs. They began smashing my head against the concrete floor. Licking my bad leg. It went on for three hours. I think some other guards finally had to stop them."

"I lay in a stupor for three days. I was in terrible pain. They had dislodged the iron pin in my leg during the beating, and it was shoved three quarters of an inch up into my hip. My mouth was so bruised that I could not open my teeth for five days."

A week later Fidel asked Kasler if he surrendered. "I decided I'd say yes, and then resist when they asked me to do something." He was put in a room

with fresh air, and given cigarettes and chewing gum. Though under threat of death, he communicated once again with his fellow captives. "The guys didn't recognize my old call signal, so I just kept sending my own name. Finally old Norm Wells [Lieut. Colonel Norman Wells had been one of Kasler's wingmen] came up in the next room. Boy it was good to hear him."

But Kasler's leg continued to get worse, and his morale ebbed. "I started to go downhill rapidly. I lay on my bed all day, dreading when the food came around because I had to get up to get it at the door of my cell." Finally, in the winter of 1968, he was taken back to the hospital. X rays showed that an operation was necessary. One of the guards told him that his leg had to be amputated. The wound was cleaned out, however, the iron clamp removed and the leg was finally on its way to healing—nearly 2½ years after it had been broken. In early February 1969, Kasler was returned to the Zoo, and got a roommate, Navy Commander Peter Schoeffel, who had been shot down in 1967. He had spent a total of 18 months in solitary confinement since his capture.

**Killed.** The torture continued through the spring and summer of 1969. But that July, under threat of more beatings, Kasler wrote one last statement "about the struggle of the great Vietnamese people." He was never tortured again, though others were.

By October 1969, conditions noticeably improved for the prisoners—but were still not good. Kasler and others were moved in December 1969 to the Hamoi Hilton, where there was a room called Heart Break. In it, new captives and men who had cracked mentally under torture were placed in stocks in their beds, unable to move. Three unbalanced Americans were held there. "We could hear them in our room. We pleaded with the guards to let them come to our cell, but were turned down. Two of them just eventually disappeared. We saw the other's name on a list of dead. All told, at least 15 men were either killed during torture or were not accounted for."

Sitting in his comfortable Indianapolis apartment last week with his wife Martha, Kasler, now 47, looked amazingly fit. He wears glasses and his hair is grayer. But he walks without a limp, and he still has a quick smile and a soft chuckle. He had already caught up with the latest fashions and was sporting bright blue bell bottoms. Touching his short hair, he chuckled and said that he planned to let it grow a bit. Despite all his pain, Kasler displayed remarkably little bitterness—except when he mentioned Fidel. "I'd like to meet him some day," he said softly. But for now, Kasler was looking forward to some rest and then spending a year at the Air Force War College. His goal: command of a wing (two squadrons) of fighter aircraft. At heart, he is still very much a fighter pilot.

NEWSWEEK, April 16, 1973

## POW's: The Price of Survival

The last known American POW came home from Indochina last week, and even as he arrived, tales of mistreatment and torture in captivity continued to pour forth from his comrades already in the States. The stories seemed somehow incongruent with the men telling them—a trim, trig lot who, given a few pounds more flesh, might have stepped straight out of a recruiting poster. But for all the abundant well-being they seemed to display, it was becoming apparent that for many the long ordeal was far from over—that they may well suffer physical and emotional aftereffects of their internment for years to come.

By and large, the POW's were indeed in better shape than the Pentagon had expected. They were a select group to begin with, mostly Air Force and Navy career officers, and their number had been further reduced by the survival-of-the-fittest rigors of life in the camps. They had, moreover, put their wasting bodies through stiff programs of calisthenics—up to three hours a day—and had in many cases inhaled further when the worst of the abuse eased off after 1969.

Yet their vigorous appearance was deceptive—a mask for physical and psychological scars that didn't show on television. "Every one of those men left a piece of himself in prison," one grim-faced Pentagon physician told Newsweek's Thomas DeFrank. "You just never come back from an experience like that whole. And there's no way to predict how these men will bounce back. Some will make it in fifteen weeks, some in fifteen years—and some never will."

Those captured in the south will probably have the hardest time. Among prisoners there, the mortality rate in some camps reached almost 45 per cent—higher even than the death rate at the Philippines' grim Camp O'Donnell in World War II. Army Maj. Floyd H. Kushner of Danville, Va.—the lone doctor among POW's and the only man captured prior to the 1968 Tet offensive to survive the Viet Cong prison camp in Quang Nam Province—suggested why. The prototype prisoner, Kushner related, "had chronic malaria. His liver was enlarged, his spleen was enlarged. He was stricken with shivering chills and intermittent fevers. He was defecating 30 or 40 times a day. His feet and ankles were swollen from lack of protein and retention of body fluids. His scrotum was swollen to the size of softballs; he had running sores all over his body. He was unable to work—but he had to work to survive."

Scream: And there was the itching—a skin disease that hit the POW's and that neither Kushner nor any dermatologist he has talked to ever heard of. "I can't overemphasize the effect that this disease had on us," said Kushner. "For eight months I couldn't bend my fingers more than 10 degrees. I recall very, very vividly ten or eleven POW's lying on a crowded bed ... screaming and asking God or someone to take their life so this itching would stop."

Bodies wasted—some perhaps irreparably—on the Viet Cong prison diet. According to Kushner, daily rations consisted of three cups of rotten rice shot through with weeds, rat feces and sand, plus whatever rats and snakes the POW's could catch. After six months of such fare, the average prisoner had lost 40 to 50 per cent of his weight. Once, Kushner said, the prisoners were so desperate for protein they ambushed the camp commander's 4-pound pet cat, killed it and were skinning it when they were caught. The VC singled out Kushner and one other man, beat them terribly, then threw the cat's bloody carcass in Kushner's face. "I thought they were going to make me eat the dead cat raw," he said, "and I was rejoicing." Instead, the POW's had to bury it.

Some men cracked under the hardship and strain. "In extreme cases," Kushner said, "men would lie on their beds in fetal positions, sucking their thumbs, calling for mama. One of the men ... sat on his bed with a blanket over his head for two years." And some simply gave up completely. Said Kushner, "Two men ... told me once, 'Doc, I just can't hack it any more. It's too hard to live.' And they took to their beds, lay down and within a matter of weeks they were dead."

Stores: As camp doctor, Kushner said, he had only a rusty razor blade for surgery. The only medicines the VC allowed him were small amounts of paregoric and salts for dysentery, and some occasional doses of quinine and antibiotics for malaria—but only after a prisoner had been sick for several days. To build up medical stores, Kushner had his prison mates feign illness, but he never accumulated enough. At one point, Kushner said, a dozen prisoners had to sleep on a single 16-foot bamboo bed. "So these men who were sick, lingering, dying, discharged all their physiological functions right on this bamboo bed," Kushner related. "They defecated, they urinated, they vomited ... And in the end, they died. 'Ten good men died in my arms,' Kush-

ner said bitterly—three in one week alone. "I felt on the edge of insanity," he declared. "I had the knowledge, the training to take care of these people. All I needed was the equipment, the medicine—and I was unable to get it."

More than 100 prisoners have come out of internment in the south in the past two months, and painful aftereffects are already beginning to appear. James Rollins, a 37-year-old civilian captured during the Tet offensive, managed to live through dysentery, beriberi, malaria and the loss of 80 pounds—but he suffers today from heart murmur, anemia, hookworms, gum recession and brain damage caused by protein deficiency that he says has lowered his IQ a full 19 points. Green Beret Maj. Nick Rowe, who escaped in 1968 after five years in Viet Cong hands, is still troubled by diarrhea, circulatory problems and recurring visions of his jungle cage. And Kushner admits to lapses of concentration. "My wife will tell me something," Kushner stated, "and five minutes later I'll have to ask her what she's talking about."

Conditions were better in the north—but only relatively so. POW's in Hanoi did enjoy clothing and shelter denied their counterparts in the south. But solitary confinement, severe beatings and torture were the routine order of the day. "The Vietnamese tortured and knew each one of us better than we knew ourselves," newly promoted Brig. Gen. John P. Flynn, senior officer among the POW's in the north, told a recent conference at Keesler Air Force Base, in Mississippi, last week. "They brought me to the point where if they asked me to shoot my own mother, I would have."

At March Air Force Base in California, two ex-POW's from the north displayed

some of the implements of pain that had been used on them. Lt. Col. Lewis Shattuck, of Mesa, Ariz., demonstrated a common form of torture the prisoners called "the rope trick"—a devilish method of trussing a man up into a ball so his mouth was jammed against his toes and his circulation stopped. And Maj. Charles Tyler, also of Mesa, displayed a pair of crude, flesh-biting manacles he had managed to smuggle out of the prison camp when he left.

**Damage:** Other prisoners had more painful souvenirs. A number of broken bones were sustained by pilots ejecting from crippled aircraft over the north—but a good many other problems were caused, or exacerbated, by maltreatment on the ground. Lt. Comdr. John S. McCain III, the son of the former chief of U.S. forces in the Pacific, broke both arms and his right leg when he parachuted into a lake in downtown Hanoi. McCain spent his first four days as a POW lying untended on the floor of his cell. "I realized I was dying," he recalled. Fortunately, when prison officials found out who he was, McCain's injuries were cared for. But by then, permanent damage had been done. As a result of North Vietnamese neglect, McCain's right arm is now 2 inches shorter than his left; he cannot lift his left arm above the horizontal or bend his right knee. Doctors are planning corrective operations—but are not promising anything.

Neglect had a variety of other effects on POW's as well. Stateside doctors have turned up several cases of arthritis (from prolonged inactivity), kidney trouble (from long periods of dehydration) and heart disease (a side effect of beriberi), plus an array of intestinal ailments and dental problems—most of which,

doctors feel, are correctable. But the downed U.S. pilots who constituted the vast majority of POW's in the north may suffer a more costly long-term effect from their ordeal: impairment of vision, caused by what one prisoner called Hanoi's "vitamin-free diet." To be sure, not all the eye ailments will prove permanent, and some pilots have already been cleared for return to flying status. But the Defense Department fully expects that many of them will never fly again—and at least one airman's condition is so severe that doctors fear he will go blind.

Even those not directly afflicted may be in for trouble. Actuarial figures compiled after World War II and Korea indicate that ex-POW's in general have a shorter life expectancy than other men and a greater proclivity for broken marriages, various accidents and psychiatric problems, including insomnia, depression and alcoholism. "Medically speaking," says one Pentagon official, "they are simply going to have to endure a lower standard of living." And indeed, a number of ex-POW's are already finding the going tough. Several are in the throes of deep marital difficulties—and a few have planned vacations away from their loved ones to sort out their new lives.

For now, the POW's are protectively swathed in the euphoria of homecoming and the adulation of a grateful nation. But sooner or later, the brass bands will fall silent; the accolades will fade. And doctors fear that after so many years away and so many changes at home, the prisoners may find that their most difficult problem is America itself. "It's not the long hair and the miniskirts that'll get them," says one physician. "These men are patriotic anachronisms, and when they begin to realize it, that's when the trouble will start. They may be the men of the year for 1973—but they're going to be the forgotten men of 1974."

WASHINGTON POST, June 2, 1973

**Broken Backs, Neuroses**

# POWs More Ill Than Suspected

By Stuart Averbach  
Washington Post Staff Writer

America's returning POWs were far sicker than they looked when they stepped off their freedom flights last winter, the Pentagon's chief health officer reported yesterday.

Almost one-third of them had major bone fractures and 15 per cent suffered broken backs when they ejected from their planes flying at supersonic speeds. Almost two-thirds of the soldiers captured in South Vietnam returned with serious cases of malaria, some so virulent that they resisted the drugs used to fight them. More than half the men brought intestinal worms back with them.

"When they came off the planes they looked so well we were deceived," Dr. Richard S. Wilbur, assistant secretary of defense for health told a Pentagon news briefing.

Moreover, he said, the POWs' problems are far from over. Studies of prisoners returned from Oriental prison camps in World War II and the Korean War showed they had had high rates of violent death for three years after their return.

In an attempt to avoid this, Wilbur revealed that the Vietnam POWs will be followed by military doctors for at least five more years, and every POW family will re-

ceive extensive counseling to ease the readjustment problems.

Already, Wilbur said, problems are cropping up among the POW families. Wives who had been managing their families and finances for years while the husbands were in prison camps are now finding it difficult adjusting to having a man in the house. And the returned prisoners have trouble adjusting to women's real role in American society.

"A lot of their difficulties," said Wilbur, "is moving back into families that have gotten along without them. In most cases the wives carried on successfully alone."

Then the husband comes back and wants to see the checkbook and use the family car. "The wife feels she's been put back in the home," said Wilbur, and the returning POW "feels himself as a kind of extra."

"He needs a lot of help fitting back into the family," he said.

One POW wife, Wilbur recounted, saved \$30,000 while her husband was a prisoner. But she was nervous; she thought she should have saved twice as much.

At the same time that military health officials are assisting the POWs in adjusting to their families and contemporary America, doctors are repairing a wide variety of physical and mental ills suffered during their captivity.

Some of the injuries are directly related to torture by the Vietnamese, Wilbur said.

For example, more than half of 80 Navy POWs whose medical records were studied most completely suffered "oral facial injuries" resulting from "physical abuse" during their capture or interrogation.

Another 83 per cent of the POWs suffered nerve damage due mostly, Wilbur said, to having their hands and feet bound with ropes and chains for long periods of time.

Intestinal worms are the greatest medical problem facing the 366 POWs, who returned home last February and March after as long as seven years in North Vietnamese and Vietcong prison camps.

Seventy per cent of the Army prisoners—many of whom were held in makeshift Vietcong camps in the south—suffered from worms. Navy, Marine Corps and Air Force prisoners—mostly airmen shot down over the north and held under somewhat better conditions—suffered slightly less from worms. Wilbur said more than 95 per cent of Navy and Marine prisoners and 48 per cent of the Air Force prisoners had worms.

These worms caused malnutrition and anemia but Wilbur said, "We think we can get rid of them."

Malaria, however, is proving to be far knottier a problem for Army doctors. (Again, Navy, Marine and Air Force prisoners, held in the north, were found to be free of malaria.)

Wilbur reported that many Army POWs are suffering from falciparum malaria, the most virulent kind, and in some cases the bug is resistant to the drugs used to treat it.

In eight to 10 cases, he said, the malaria flared up again while the men were under treatment. "The treatment," he said, "was insufficient to keep down the disease."

Army doctors are looking to new drugs, developed at the SEATO laboratories in Thailand, to treat these cases, Wilbur said.

The biggest surprise, he said, was the small number of hepatitis cases among the returning POWs. He said he was also surprised by the small amount of nutritional deficiencies suffered by the prisoners.

Once again, Army prisoners held in the south suffered the most; 35 to 40 per cent of the 77 Army returnees had nutritional problems.

The Navy and Marines reported that 18 per cent of their 164 returnees suffered nutritional deficiencies, and the Air Force reported that 4 per cent of their 323 returnees had the same problem.

"They must have had more problems in the early years," said Wilbur, "but they got better food later and overcame them."

Of injuries suffered by the prisoners, almost half the soldiers had gunshot wounds. Far fewer—5 per cent and 7 per cent—of the Navy and Air Force airmen had gunshot wounds.

But the airmen—and to a lesser extent Army helicopter pilots and passengers—suffered broken backs. The fighter pilots, Wilbur said, were injured when they were catapulted out of their damaged planes flying at supersonic speeds.

"It's a violent ejection," Wilbur said. He added that all three services are working on better methods of getting men out of speeding planes.

He explained that these back injuries—where the vertebrae are pushed down or the spinal discs are compressed—are very rare in young men. In some cases, he said, they caused partial paralysis.

The injuries in the helicopter passengers and crews are caused by the impact of the ship coming straight down onto the ground, Wilbur said.

All the men suffered from "stress reactions," which was to be expected. It showed up as depression, fright and euphoria. But, Wilbur said, "it will not last with them."

Six per cent of the men suffered more serious psychological problems from their imprisonment. Wilbur said that 3 1/2 per cent of them had stress reactions so severe as to be abnormal. Two per cent suffered from mild and moderate depression, and 7 per cent suffered a schizophrenic reaction. At least one returnee is being hospitalized for his psychiatric problems.

The Air Force reported no cases of schizophrenic reaction or depression. Wilbur said. He explained that it was probably due to a more careful screening of pilots by the Air Force than the other services give their men.

As bad as the health of the returning POWs was, Wilbur said, few suffered any permanent damage. "Most will be able to go back to active duty."

He called the medical care that the POWs received "far from adequate," but added that many prisoners feared that what little treatment they were offered "was not in their best interests." They practiced self-treatment "with surprisingly good results."

Wilbur emphasized that the information released yesterday is "preliminary" and may be changed when doctors make further checks on their patients.

CRC-81

VIII. REPORT ON THOSE LISTED AS MISSING

WASHINGTON POST, January 30, 1973

# Hunt for Missing Will Take Years

## 1,300 GIs Sought

• By Fred S. Hoffman  
Associated Press

It will take many years, if ever, to find out what has happened to more than 1,300 American fighting men missing in Southeast Asia, Pentagon officials say.

American representatives will go over the list of unaccounted for U.S. servicemen with North Vietnamese and Vietcong authorities, name by name, seeking information on their whereabouts.

The Vietnam peace agreement, signed in Paris last Saturday, commits all parties to cooperate in locating missing men and graves.

But the language in the various documents is general and the provisions for carrying out such responsibilities are sketchy.

It is clear that much will depend on the willingness of the North Vietnamese to permit search teams on their soil. Pentagon officials say they cannot tell how far Hanoi's cooperation will extend, if at all.

Though hopes that many of the 1,300-plus missing men would turn out to be enemy prisoners were shattered over the weekend when the North Vietnamese reported they and their Vietcong allies held 833 American captives. Under the cease-fire agreement, prisoners are to be returned within 60 days.

U.S. military men and civilian officials long have acknowledged privately that perhaps most of the missing were dead because American airplanes and their crews were seen going down in deep jungle, often far removed from roads and villages.

Apparently some of the missing ended up in North Vietnam, Patbet Lao or Vietcong camps, but the number probably is small.

The Vietnam peace agreement stipulates that all the parties—U.S., North Vietnamese, Vietcong and South Vietnamese—shall exchange complete lists of captured military and civilian personnel on the day of the signing.

But Pentagon spokesman Jerry W. Friedheim confirmed that the Communists provided no list covering Americans captured in Laos. Only six Americans have been listed by the Pentagon as captured in Laos, but another 311 were carried as missing, and Friedheim said, "We have reason to believe there are more U.S. POWs in Laos."

He avoided numbers, but military sources said they feel that as many as 70 American airmen may be held captive in Laos.

Friedheim told reporters he does expect to receive a list of American POWs in Laos from the North Vietnamese, but he did not say what he based his belief on.

The Pentagon's top spokesman said that, in hunting for evidence of the location of additional Americans in Indochina, the United States will work through the temporary joint military commission of the warring parties being set up in Saigon, and through diplomatic channels.

Friedheim said late last week that during the 60-day period for prisoner exchange some U.S. military men will be shifted from Vietnam to Nakhon Phanom, a base in Thailand close to the border of Laos. There, Americans will organize a casualty-recovery center to search for men missing in Indochina.

"We have an obligation to the families of the men missing in action to do our best. We intend to fulfill that even if it takes us years to do so," Friedheim said.

The key paragraph in the agreement that obligates the North Vietnamese and other signing parties says this:

"The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action."

But the agreement does not spell out the measures, apparently leaving it to the good will of the countries involved to carry out the responsibilities.

Eventually, after all possible avenues and means are exhausted, the services may act to register "findings of presumptive death" for men who remain unaccounted for. Pentagon officials said there is no specific number of years required before such a step is taken.

There still are 389 American servicemen who have not been accounted for since the Korean war ended almost 20 years ago.

A Defense Department statement from the post-Korean period recalls that:

"After completion of the prisoner exchange in the fall of 1953, there was handed to the Communists a list of 944 members of the armed forces of the United States and 2,460 other United Nations command personnel who there were reasons to believe had been in Communist hands at one time or another between June 1950 and September 1953 . . .

"The Communist response to demands for an accounting was inadequate. Nevertheless, after months of intensive effort by U.S. Army graves-registration units plus the sifting of thousands of reports from prisoners who were repatriated, it was possible over a period of years to reduce the number of unaccounted-for Americans . . . to the present 389 . . .

"In every instance of deletion of a name from the list, it had been determined beyond reasonable doubt that the individual died during the conflict. This was ascertained through recovery, examination, and identification of remains, or through eyewitness reports of death."

# U.S. Has Cautious Hope Of Finding More P.O.W.'s

LOS ANGELES, Feb. 25 — American officials believe that the list of prisoners supplied by the Communists in Indochina may not be complete.

They are being very cautious about the possibility of more prisoners, and do not want to raise false hopes among the families of more than 1,300 men whose fate is still unknown. The officials believe that the large majority of those men almost certainly are dead, but they are not yet ready to give up hope that a few men might somehow return.

[At the Four-Party Joint Military Commission meeting in Saigon Sunday, neither the North Vietnamese nor the Vietcong produced a new list of prisoners to be released, Reuters reported. Another meeting is scheduled Monday.]

Henry A. Kissinger, President Nixon's adviser on national security affairs, appearing tonight on the National Broadcasting Company's television program "A Conversation With Henry Kissinger," said

"I cannot really believe that the North Vietnamese would hide prisoners on us. I see nothing they would gain from keeping prisoners that they could not acknowledge in jails in North Vietnam. But we won't rest on this theoretical possibility. We will make a full investigation and we will insist on an accounting" [Page 3].

Fifty-four men who were thought by American officials to be prisoners did not appear on the list of 562 confirmed P.O.W.'s held captive in North and South Vietnam and Laos. Nor were they listed as having died in captivity.

But since the official list was released last month, the families of several of the 54 have received telephone calls from the Pentagon telling them that there is enough evidence to keep their men on P.O.W. status for the time being.

"The North Vietnamese are holding out, we know this," insisted E. W. Teague of Harrisburg, Ark., one parent who received such a call. His son, Lieut. James Teague, was shot down in 1967 and was classified as a P.O.W. after a North Vietnam news agency announced his capture. But he was not listed among the P.O.W.'s identified last month. Others among the 54 were sighted alive on the ground after ejecting from their planes, and some were even photographed in captivity, but no record of them has yet appeared.

In addition, well-informed sources say that returning prisoners have reported seeing a few men in prison camps who have not been acknowledged by the North Vietnamese. The former P.O.W.'s are now undergoing intensive debriefings with intelligence officers, who hope to find out more about the 54 men in question and about 1,274 others still listed as missing and unaccounted for.

### Many Lost in Laos

The best chance appears to be in Laos where 317 men have disappeared over the years. Only seven have been identified as prisoners thus far, and reports from Southeast Asia have speculated that those seven are held by the North Vietnamese. It is possible, according to the reports, that more men are in the hands of the Pathet Lao, the indigenous guerrilla army, which did not participate in the Paris talks and did not sign the peace accord.

Two difficult questions remain, however, particularly in regard to North and South Vietnam: Why would enemy forces deliberately withhold the names of American prisoners? And if they have, what will make them decide to give the men back?

As a result, officials and families are reluctant to discuss the missing men. The Paris accords provided that both sides would repatriate all prisoners within 60 days and provide information on the missing, and until that period is up on March 28, no one wants to rock the boat.

"We don't want to scream out before we're sure a foul has been committed," explained Col. John Scott Albright, a board member of the National League of Families of Prisoners of War and Missing in Action whose son is a missing pilot.

When the official list was released, the league did say that its "worst fears" had been confirmed because so many men were unaccounted for. But Colonel Albright said last week, "None of us are willing to admit that the lists we've seen are final lists."

### Major Campaign Planned

Accordingly, the league and other groups are already preparing massive publicity campaigns to focus attention on the issue after the 60-day period is over.

Because they refuse to accept the published lists as final, many MIA families continue to live in a particularly frustrating uncertainty. But their refusal is rooted in two basic emotions that are not easily treated.

One is a deep suspicion of Communism. Almost every family involved knows that 359 Americans were never accounted for after the Korean War, and many do not trust the enemy to turn over all prisoners.

"It's not unlike putting the cat in charge of the canary," said Thomas Nellist, director of Concern for Prisoners of War Inc., a nonprofit organization in San Diego devoted to the prisoner issue.

More significantly, many simply cannot believe that their men are dead.

"There's just something in human nature," said Iris Powers, a leader of the league and the mother of a missing helicopter pilot. "As long as there is a little thread there, you hold out a little bit of hope." Or as Colonel Albright put it: "Each of us who has an MIA is personally convinced he's all right. That's what drives us. Some believe in the face of insurmountable odds, but what is the alternative?"

Some young wives, who have waited in a limbo for many years and now want to get on with their lives, have accepted the recent lists as final and consider their husbands dead. But for men parents in particular, there is no alternative—they cannot marry another son.

Families who refuse to accept death were encouraged recently when Pfc. Ronald Ridgeway, who had been declared dead in 1965, appeared on the P.O.W. list. "I always had a feeling the boy would turn up," his mother insisted.

Psychiatrists say that without firm evidence of death, most families will not be able to complete the natural process of mourning; they must eventually endure.

### "Had a Feeling"

Dr. Alfred A. Messer of Atlanta, who specializes in military cases, recently saw a young widow who was having trouble in her second marriage. Her first husband, she disclosed, had been badly mangled in Vietnam. She had never seen his body, and continued to have fantasies that he would eventually reappear.

"Until we complete the process of mourning, it's difficult to form new emotional attachments to someone else," Dr. Messer explained.

Partly for this reason, the United States Joint Casualty Resolution Center is now being established in Nakhon Phanom, Thailand. From there, experts will travel throughout Southeast Asia, trying to locate crash locations and gravesites and to provide conclusive evidence concerning the fate of the missing men.

But in many cases, no conclusive evidence will ever be found. And for some of those families, the waiting will never quite end. In a tiny corner of their hearts they will remember Ronald Ridgeway, and wonder if their "dead" or missing men will some day come back.

NEW YORK TIMES, March 28, 1973

## HANOI TO AID U.S. SEEK THE MISSING

General Says the North Will  
Also Help Recover Dead

By JAMES P. STERBA

Special to The New York Times

CLARK AIR BASE, the Philippines, March 27--A Pentagon official said here today that the North Vietnamese were ready to facilitate the United States military's search for missing American soldiers and unrecovered bodies as soon as prisoner exchanges are completed this week.

Brig. Gen. Russell G. Ogan, who directs matters concerning prisoners of war and the missing in action for the Secretary of Defense, reported at a news conference that North Vietnam had expressed a willingness to proceed with talks on the missing servicemen and to hand over the bodies of United States soldiers in their possession. General Ogan has been part of the United States team that flies to Hanoi to arrange for the turnover of prisoners.

The general said that about 1,330 American soldiers and civilians listed as missing in action in North and South Vietnam, Laos and Cambodia were still not accounted for.

The North Vietnamese have said that they are not hiding any American prisoners. "There are no others," Hoang Tung, senior editor of Nhan Dan, the Communist party newspaper, said in Hanoi on March 18, adding that a search would be started for all the missing and dead as soon as possible.

### Some Bodies in North

At his news conference General Ogan also said that there were about 1,100 unrecovered bodies of United States soldiers known to have been killed in action.

He also said that the North Vietnamese had the bodies of some, including those who died in captivity, and had kept careful records on them. Plans have been made by the Americans, he said, to obtain the bodies for shipment back to the United States for burial.

General Ogan said he did not know whether the bodies had been cremated or whether they remained intact enough to permit identification.

For those still lost on battlefields or crash sites throughout Indochina, a Joint Casualty Recovery Center has been established at Nakon Phanom Air Base in northeastern Thailand.

The United States is to work with the governments involved to begin a large-scale search operation that could last from three to five years.

According to the general, American search units are to work with the International Committee of the Red Cross and representatives of the various governments to comb battlefields and more than 1,000 sites where United States planes crashed during the war.

NEW YORK TIMES, April 5, 1973

## P.O.W. COMPLAINTS BRING RED THREAT

Communists Say Issue May  
Impede Return of Dead

SAIGON, South Vietnam, April 4 (AP)—North Vietnam and the Vietcong said today that torture charges by former American war prisoners threatened to interfere with return of the bodies of prisoners who died in captivity and the search for United States servicemen listed as missing.

American officials believe that the Communists made their statement more "for the record" than as an indication of their plans.

Meanwhile, the South Vietnamese walked out of subcommission meetings of the two-party Joint Military Commission with the Vietcong in protest against the six-week siege of the Government's ranger camp at Tong Le Chan, 50 miles north of Saigon. The South Vietnamese are already boycotting the parent commission because of the siege.

### Group's First Meeting

The Communist warnings on the return of the bodies of prisoners came at the first formal meeting of the military team charged with accounting for hundreds of missing Americans and with recovery of the bodies of those killed in action or who died in prison.

"These guys are dead and the Communists have very little leverage in this matter," said a spokesman for the American team. He added that the statement by the Communist reflected their "extreme sensitivity" over the question of the treatment of captives. The North Vietnamese and Vietcong delegations referred to what they called the "humane treatment" of prisoners and protested American "distortion" of that policy.

Several former American prisoners complained on their return home that they were beaten, tortured and held for months in solitary confinement. Harold has charged that their complaints were spurred by the United States Government

The Paris peace agreement provides that both sides will help get information on military and civilian personnel listed as missing in action, seek out graves of the dead and return their bodies to their country of origin.

North Vietnam has given the United States a list of 51 Americans it says died in captivity. The United States has listed 1,100 servicemen who were killed in action in Indochina whose bodies have never been recovered and has listed 1,323 simply as missing.

The North Vietnamese said they would discuss the return of bodies when the head of the team, Col. Tran Nguen Do, arrives in Saigon, probably Sunday. That and the status of the missing are the American team's top priorities.

South Vietnamese military sources reported that the Saigon command had drawn up plans for a major operation to relieve the beleaguered ranger camp at Tong Le Chan.

### Threat of Major Battle

The sources reported that South Vietnam was holding off the operation for fear of touching off a major battle that could impede the entire ceasefire agreement.

The ranger base, garrisoned by about 600 men, is surrounded by a regiment of North Vietnam's North Division, about 2,900 men. Heavy artillery elements and several other regiments also are in the vicinity.

A Saigon spokesman said today that a North Vietnamese demolition force had penetrated Tong Le Chan's defense perimeter under cover of heavy artillery. He said the force was driven off, leaving three North Vietnamese dead. He said 12 Government soldiers had been wounded.

The Government said that nearly 400 rounds of artillery, rockets and mortar were fired at the camp.

The Government also reported that Communist gunners had fired more than 200 rounds into four Government infantry positions nine miles west of Hue and that 22 infantrymen had been wounded.

WASHINGTON POST, April 13, 1973

## All-U.S. POWs Free, Pentagon Maintains

Associated Press

The Pentagon said yesterday it has no evidence there are any more U.S. prisoners of war still alive in Indochina.

With interviews with returning POWs almost complete, Pentagon official Dr. Roger Shields said none of the 1,359 Americans listed as missing has been changed to POW status.

Nonetheless, Shields said at a news conference, American officials are continuing to press for more information, especially in Laos, from which only 10 POWs were released.

Shields, in charge of the Pentagon's POW recovery operation, declined to rule out the possibility that POWs may charge other POWs with collaboration or other offenses committed while they were held in North Vietnam. There have been recurring reports that such charges would be filed.

Shields said there will be 153 Americans assigned to the Joint Casualty Resolution Center now setting up in Nakhon Phanom, Thailand, nine miles from the Laotian border.

From the center will go searchers looking for downed American planes and remains of airmen shot down throughout Indochina.

Noting that searchers will face hazards like remaining

cease-fire violations and live booby traps in the jungle, Shields would say only that attempted recovery operations should begin soon.

Officials at the center, including North Vietnamese representatives, have been meeting for about a week, Shields said.

Generally, Shields said, the emotional, psychological and physical condition of the returned POWs has been excellent.

Of reports that many airmen in Laos were summarily executed by the Communist Pathet Lao, Shields said, "There is no basis in fact for this story."

Except for three GIs killed early in the war, Shields said, neither is there any indication that any American POW was tortured to death either by the Viet Cong or the North Vietnamese.

WASHINGTON STAR-NEWS, May 15, 1973

# Lao Reds Balk at Reports on Missing

BY TAMMY ARBUCKLE

Star News Special Correspondent

VIENTIANE — Latest American efforts to gain information on over 300 Americans missing in Laos have failed because of Pathet Lao Communist refusal to cooperate with the United States on the problem, a U.S. embassy spokesman said here today.

The spokesman said these new American efforts have been "stonewalled by the Pathet Lao."

"We are simply trying to get word on what happened to these men for their wives and relations, a humanitarian thing," he said.

"The Pathet Lao say they are transmitting our requests to Sam Neua (the Pathet Lao headquarters in northeast Laos) but we have never had any replies."

**REVEALING THESE** latest American efforts to learn the fate of U.S. missing in Laos for first time, the sources said meetings were held between the senior American here, Charge d'Affaires John Gunter Dean, and the No. 2 man in the Pathet Lao hierarchy, Phoumi Vongvichit, here in Vientiane over a period of "several weeks."

Earlier negotiations had been between lower ranking Pathet Lao representative here, Sor Petrasy, and the U.S. consul who handles prisoner affairs, Richard Rand. These contacts were fruitless.

Reflecting the Pathet Lao unwillingness to give information, Phoumi Vongvichit reportedly told Dean he could not give authorization for U.S. visits to Pathet Lao areas of Laos to determine the missing men's fate.

Phoumi reportedly said "the Americans bother other people for the dead more than for the living . . . one must rather think of the living Lao who have not arrived at an understanding yet."

**THESE REMARKS** were made in the Lao language and U.S. officials are unwilling to speculate on whether Phoumi is claiming the missing men are dead or if he is calling for a Lao settlement before giving up any U.S. prisoners still alive here.

There has been no prisoner exchange in Laos apart from nine Americans handed over at the time of the Vietnam exchanges. Although there has been a relatively successful cease-fire there has not been any political settlement.

North Vietnamese totaling 148 and an unknown number of Pathet Lao are still held prisoner here in Vientiane.

Several thousand Pathet Lao were freed by the Lao government over the war years after pledging to fight on the government side.

**THE COMMUNISTS** hold an estimated 700 Thai prisoners and at least 2,000 Lao military.

An exchange of prisoners is unlikely until a Lao political settlement comes and this is presently regarded by diplomats as being a long way off. It awaits a solution of Cambodia and Vietnam problems as well as Lao differences including Pathet Lao proposals totally abhorrent to the Laos government aimed at dividing Laos into the zones.

Requests for information were based on the Paris negotiations between Henry Kissinger and Le Duc Tho whereby North Vietnam agreed to account for all Americans missing in Indochina.

"We were very glad to receive the nine Americans we got back," an embassy spokesman said.

He noted North Vietnam had over the weekend allowed visits to Vietnam grave sites.

**THERE HAVE** been meetings between U.S. officials and North Vietnamese here on the prisoner question too but the U.S. apparently hopes the partial success of the four-party commission in South Vietnam in getting some cooperation from Hanoi might be continued in Laos and does not want to confuse the issue by making strong representation to the Hanoi embassy here.

Also the wild terrain and almost total lack of internal communications is going to make a search for the missing even more difficult than in Vietnam.

Highest estimates of U.S. prisoners still alive is between 50 and 60.

Special representation has been made to the Communists concerning four men, all cases where there is clear evidence they were alive long after capture.

WASHINGTON POST, May 20, 1973

# Hunt for GI Bodies Hits Snag

From Hanoi Dispatches

SAIGON, May 19.—The bodies of American servicemen "scattered here and there all over North Vietnam" will eventually be returned if there is a display of "good will," a Hanoi delegate to the four party Joint Military Team engaged in recovery efforts said Saturday.

Ma Nguyen Phu Binh told a news conference at Saigon's Tan Son Nhut airfield that the cooperation of local North Vietnamese is necessary to locate the graves of scores of Americans who died in air crashes in North Vietnam.

"People in North Vietnam are very angry and indignant at violations (of the cease fire) by the Saigon administration which are tolerated by the U.S. government," the North Vietnamese delegate said. "But with good will we shall continue to settle this problem satisfactorily."

U.S. officials say that more than 50 Americans died in captivity in North Vietnam in addition many of the 1,117 Americans missing in action in Indochina may be there shot down and killed in North Vietnam.

The Communists boycotted a scheduled meeting Saturday of the four party team, which has been assigned the task of working out details for repatriation of the remains of American dead.

In another development, the Vietcong failed to join the four nation International Commission of Control and Supervision investigation into alleged U.S. air strikes inside Cambodia during the first two weeks of May.

The Vietcong claimed that Saigon refused to provide its officers with transportation or to guarantee security to the transit site at Bien Hoa, 15 miles northeast of Saigon. The team of investigators had been scheduled to talk with a regional ICUS team in Bishoa Saturday and then proceed to Communist headquarters at Lon Nhon, 60 miles farther north.

In Cambodia, meanwhile, officials reported that a commercial DC-3 transport plane with 11 persons aboard crashed shortly after takeoff from the provincial capital of Svay Rieng. First reports said it was hit by Communist ground fire. Police sources said no survivors were found at the crash site.

WASHINGTON POST, May 21, 1973

# U.S. Is Ruling 200 MIAs Dead

By Kenneth J. Braddick  
SAN FRANCISCO, May 20 (AP)—The Pentagon working with what it says is new intelligence, is reclassifying as killed up to 200 American servicemen listed as missing in Vietnam.

A top Defense Department official disclosed the major re-

view of the missing in action rolls at a private meeting with representatives of the families of missing men at Oakland, Calif., last week, according to women at the meeting. Brig. Gen. Russel G. Ogan, director of prisoner of war and missing in action affairs at the Pentagon, is quoted as

saying that about 50 men previously listed as missing have been reclassified as killed since April 10.

Another 150 cases are "pending" and the files of other men will be reviewed, the general is reported to have told the meeting with members of the National League of Families.

When the Vietnam cease-fire was signed in Paris last Jan. 27, 1,263 Americans were listed as missing in action in the two Vietnams, and neighboring Cambodia and Laos.

On orders of President Nixon, a joint casualties resolution center has been set up in Thailand to hunt out any possible traces of missing men and clarify their status. An American team has been in North Vietnam twice to inspect the grave sites of 23 men the Communists said died in captivity.

Kathlyn Seuell, the wife of Air Force Capt. John Seuell, said in Tucson, Ariz., that she had been told by a Pentagon official she declined to identify that the military did not expect to get into North Vietnam to search for missing men. Her husband was shot down in an area the United States now has access to.

said, and "there's no excuse for their not finding the wreckage and learning what happened."

"It's obvious that they're going to change the men's status a few at a time," Mrs. Seuell said. "They won't declare 1,200 men—some of whom may still be alive—to be killed in action in one day."

Sam Dunlap, whose son, William, has been on the MIA list for four years, said he and other families have been told by Pentagon officials that all men listed as missing in action will be changed to killed in action within a year.

A Defense Department spokesman said the approximately 50 changes for missing to killed was as a result of information that had been gathered since U.S. military involvement came to an end in Vietnam.

"We have access to information sources that we did not have before," the spokesman said. "Prisoners of war provided information that we were not able to get before."

Because fighting is still going on in Laos, Cambodia and some parts of Vietnam, he said, "There are areas we simply haven't got access to. We hope to get in there."

NEW YORK TIMES, May 22, 1973

## The Missing in Indochina: No Evidence Any Live

BANGKOK, Thailand, May 21 (AP)—There is no indication that any Americans listed as missing in action in Southeast Asia are still alive, the general in charge of locating them said today.

The Pentagon has listed 1,200 Americans as missing in action and has declared 1,100 men dead, although their remains have not been recovered.

Brig. Gen. Robert C. Kingston, who heads the Joint Casualty Resolution Center, a 173-man unit charged with locating crash sites and graves and recovering the remains of Americans lost in Indochina, said his men had inspected three crash sites in South Vietnam, but he

refused to disclose whether any remains had been found. Reliable sources said, however, that none were discovered.

The information about findings at crash sites would be communicated through regular military channels to the next of kin of the men involved, General Kingston said. He explained that relatives of men lost in air crashes often knew where their planes went down through correspondence with other men in the units.

If details are revealed prematurely, this would "get the next of kin very anxious," he said. "We are not going to announce whether we found remains or not."

General Kingston said that the North Vietnamese had been "extremely cooperative."

He said he expected the United States would get approval to carry out operations in Vietcong-held territory, although the Provisional Revolutionary Government had not yet been asked.

U.S. NEWS & WORLD REPORT, June 18, 1973

# MYSTERY OF MISSING GI's

**There is still no accounting for any of the American military men missing in Indo-China—after months of intensive effort. The question is: Why?**

Reported from

SAIGON and WASHINGTON

Almost forgotten in the wake of the Vietnam truce are the 1,300 U.S. servicemen still listed as MIA—missing in action—in the Indo-China war.

Despite massive efforts over the past four months to find out what has happened to these men, the mystery appears to have deepened, not lessened.

The cease-fire agreement signed last January 27 provided for an accounting of the American MIA's, with Communist commanders to supply lists of known dead and to enable teams to search for bodies and possible survivors.

Thus far, U.S. efforts to obtain this accounting have run into one roadblock

after another, thrown up by Communist officials in North Vietnam, Laos and Cambodia—as well as by the Viet Cong in South Vietnam.

**Frustrations.** Families of the men missing in action are angry and frustrated. They are demanding that the U.S. Government find out what has happened to these men—establish whether they are dead or alive. On June 3 hundreds of relatives of the missing men staged a silent vigil at the Lincoln Memorial in Washington to call attention to the tragic situation.

Speaking for the relatives is the National League of Families of American Prisoners and Missing in Southeast Asia. On May 30, Mrs. Herman L. Knapp, national co-ordinator of the League, told a committee of Congress that, after four months, "these are the facts"—

- North Vietnam is known-by Hanoi's own claims—to have captured men who were not returned, not listed as dead, and not accounted for.

- No National Red Cross team has ever been allowed to visit and inspect

the places where American prisoners were held.

- No arrangements have yet been worked out for the return of the remains of the 55 men North Vietnam claims died in captivity.

- No prisoners held in Laos have been sent back, and no accounting made of the dead.

The nine POW's supposedly repatriated from Laos actually had been held in North Vietnam.

Now, said Mrs. Knapp, "we are asked to believe that 300 other Americans still missing in Laos have disappeared into thin air."

**Bargaining pawns?** Among families of the MIA's, there is a growing suspicion that some captured Americans are still alive in North Vietnam and Laos, being held as pawns for further bargaining with the U.S. over final terms of the war's settlement.

This same tactic, the MIA families point out, was used by the North Vietnamese after the French were forced out of Indo-China in 1954. At that time, several hundred prisoners were held back, returned months and years later. The French Government was also asked to pay a fee for the remains of each soldier who had died in the war in Communist-held territory.

U.S. officials are reluctant to comment on this possibility. But one says openly, "We do not think that everyone now on the missing list is dead."

Behind the hope expressed by both the League and some Government officials that there are survivors is a file of solid evidence that at least 53 of the MIA's were captured alive. In each case, the evidence was strong enough for the man to be listed officially as a war prisoner, rather than missing in action or killed in action. And there are indications, less concrete, concerning 15 or 20 more.

Photos released by Hanoi, for example, show some of the U.S. airmen who obviously were alive and well after being shot down. These pictures were taken by the Communists themselves and distributed to news agencies. But the men have never been accounted for. They have simply disappeared.

**Facilities for search.** American efforts to get official information on what has happened to the 1,300 missing men center now in a group of 175 U.S. military men and civilian specialists based in Thailand near the border of Laos.

This group, located in what is known as the Joint Casualty Resolution Center, has dossiers on each of the missing men, complete with their dental X rays, fingerprints, descriptions of once-broken bones and other identifying features, plus locations of where each of their planes crashed.

Teams equipped with this information, and some highly sophisticated search equipment, were set up to visit about 1,200 crash sites scattered throughout the rugged terrain of North Vietnam, Laos, Cambodia and Viet Cong areas of South Vietnam.

They are to seek out, identify and exhume the bodies of dead U.S. servicemen, and—hopefully—track down any surviving ones. Hundreds of local guides will assist.

To date, only two quick visits have been permitted into North Vietnam, one on May 11 and the other on May 18. Both of these visits were to Hanoi. The JCRC searchers were shown three graves the first time, 21 the second.

They were not allowed to establish positive identification, to examine the bodies, or to exhume any of them for shipment back to the United States.

Granite headstones, 8 inches wide and 10 inches above the ground, marked each grave in Hanoi. Names on the headstones all were written in Vietnamese, with initials in English printed below the names.

"We still don't know why the North Vietnamese gave these people Vietnamese names," says an officer who was there. "But the initials below the names were the English-language ones for the persons buried there."

Those 24 men, Hanoi claims, were known prisoners of war who died, rather than MIA's. There was no accounting for the rest of 55 American military men and 5 civilians who, the North Vietnamese say, died in captivity.

**Hanoi's refusal.** Even though the U. S. teams have made very specific requests about where they wish to look, Hanoi has not agreed to searches in any other part of North Vietnam. Said one American.

"The North Vietnamese always respond with the answer that planes were shot down all over the countryside, and that a search would be difficult if not impossible."

Within South Vietnam, teams have visited five crash sites in Government-held territory, but found only one body, that of an unidentified pilot who crashed eight years ago.

The search teams have not yet been permitted to enter any Viet Cong-held territory in the South.

Each Tuesday and Friday, U. S. representatives meet with the Viet Cong at regular meetings of the Four-Power Joint Military Team in Saigon. There, they always raise the subject of sending in teams to search Communist-held areas for specific crash sites. The Viet Cong representatives refuse to discuss it.

Says one U. S. official in Saigon.

"We don't want to press them too hard at this stage, because maybe that would mean a longer wait before they become cooperative."

**Searchers' theories.** U. S. authorities say privately that they are assuming some prisoners died in captivity because they did not receive proper medical attention or were tortured beyond survival.

It is conceivable too, they say, that a pilot captured in a remote village may have been photographed, but then beaten and killed by angry villagers. Photos of these men might have gotten into the propaganda mill without anyone realizing they were dead or dying.

Other more bizarre possibilities are being suggested, such as some prisoners having voluntarily stayed behind, or some having been killed by other POW's.

In Laos, the search for approximately 300 missing Americans has been ready to start for months, only to run up against another kind of Communist roadblock.

Under terms of the Laotian cease-fire, the teams were to be permitted to enter the country to search specific sites and look for signs of any survivors—but only after a coalition government had been established in the Laotian capital. This has not yet occurred, and the teams are not yet permitted in.

In Cambodia, there are reports of 20 missing Americans—some of whom are among 15 war correspondents lost in that country.

The Communists deny holding any POW's and refuse entry to the teams into territory that they hold.

**Many rumors, no evidence.** Is there any real chance that some of the missing are still alive? That depends on whom you ask. For example—

There are rumors aplenty in Saigon. One which crops up repeatedly tells of a group of tall, bearded Caucasians—obviously Americans—seen on two occasions about a year ago, under guard inside a jungle area of Laos.

At the Pentagon, Dr. Roger Shields, director of POW-MIA affairs for the Defense Department, will say only that 1,354 Americans were classified as missing two months ago, and about 70 of these have since been declared officially dead. More "changes of status," he says, are being made on a case-by-case basis.

"There is no positive evidence of any survivors anywhere in Indo China at this time," Dr. Shields reports.

At the State Department, Frank A. Sieverts, the official in charge of MIA affairs, spells out three types of efforts now going on to get an accounting. These include: (1) detailed questioning of all returned war prisoners for possible leads; (2) a diplomatic drive for more information from governments in Southeast Asia, and (3) a search for possible survivors and bodies of the missing dead.

Mr. Sieverts says the debriefing of returned POW's has not brought to light any promising leads. "In fact," he goes on, "the United States has gotten no information to indicate that there are any survivors of the 1,300 classified as missing."

**Pressure on Reds.** Behind the scenes, Mr. Sieverts suggests, pressure is being applied to get Communist officials to permit the search teams to look at crash sites—90 per cent of which are in Red-held territory—and to offer rewards to local natives for information leading to either bodies or survivors.

Families of the missing men, through their League, do not speculate about the likely number of survivors. But Col. J. Scott Albright, chairman of the League's committee on identification and discrepancies, put it this way

"Last January 27, when our Government finally was handed an official list of POW's who were to be repatriated, more than 50 families learned for the first time that their 'missing' man was actually alive. . . .

"If we could trust the North Vietnamese, then our problem today would be a simple one. They say they have returned all of our prisoners of war, they say they have given us a list of all the men who died in captivity, they say they will assist us in accounting for those men who are still missing.

"But when they have lied to us so often in the past, when they have deceived us and misled us and when so many inconsistencies abound in the claims they have made, it is most difficult for many of our families not to believe that there are Americans still alive in Communist hands, and that others who could easily be accounted for have not been accounted for."

**Why—a mystery.** Just why Communist officials have refused in the past to admit holding American captives whom they later released, and why they would refuse to account for either living or dead Americans whom they may now be holding, remains a mystery.

Greatest hope for survivors centers on Laos, where most of the 308 downed American Biers crashed in territory controlled by the North Vietnamese, not the Communist Pathet Lao. As Colonel Albright sees it:

"It is inconceivable that men who fell into the hands of North Vietnamese in Laos would be treated in any different way than they were in North Vietnam."

In North Vietnam, Dr. Shields reports, latest accounting shows that 49 per cent of the shot-down U. S. Biers managed to survive and were ultimately repatriated as war prisoners.

It is on such reasoning that hope remains that at least a few of the 1,300 men now missing may still be alive. Frustrations, meanwhile, mount over the endless roadblocks placed in the way of efforts to account for the MIA's.

DEPARTMENT OF STATE BULLETIN, Department of State, June 25, 1973

## Department Discusses Return of Prisoners of War and Efforts To Account for Missing in Action

*Following is a statement made before the Subcommittee on National Security Policy and Scientific Developments of the House Committee on Foreign Affairs on May 31 by Frank A. Sieverts, Special Assistant to the Deputy Secretary of State for Prisoner of War/Missing in Action Matters.<sup>1</sup>*

I appreciate the opportunity to report to this subcommittee on the return of our prisoners of war and on our efforts to obtain the fullest possible accounting for our missing-in-action personnel in Indochina. These subjects are not new to this subcommittee. Your hearings on them in the past five years have contributed greatly to public understanding of the POW/MIA problem; they constitute a significant public record that will be of permanent value.

The return of prisoners on both sides, with accounting for the missing and dead, is covered in article 8 of the Viet-Nam agreement signed January 27 in Paris. This article, also designated as chapter III of the agreement, reads as follows: <sup>2</sup>

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves

of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Viet-Nam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21(b) of the Agreement on the Cessation of Hostilities in Viet-Nam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

Additional provisions are contained in a separate protocol on captured persons. These documents were signed by representatives of the four parties to the Viet-Nam conflict: the Democratic Republic of Viet-Nam (North Viet-Nam), the Provisional Revolutionary Government of the Republic of South Viet-Nam (the Viet Cong), the Republic of Viet-Nam, and the United States. Secretary Rogers signed on behalf of the United States.

With your permission, Mr. Chairman, I submit the Viet-Nam agreement and the protocol on captured persons for the record of this hearing.

As is clear from the provisions quoted above, and from the captured-persons protocol, the return of prisoners on both sides, with accounting for the dead and missing, formed a key part of the Viet-Nam settlement. Our government had emphasized to the Communist side the importance we attached to securing the expeditious release of prisoners of war, with the fullest possible accounting for the dead and missing. The quoted sentences embody the essential provisions on these subjects.

<sup>1</sup> The complete transcript of the hearings will be published by the committee and will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20540.

<sup>2</sup> For texts of the agreement and protocols, see BULLETIN of Feb. 12, 1973, p. 169.

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As specified in article 8(a), lists of "captured military personnel and foreign civilians" were exchanged on January 27, the date of the signing. North Viet-Nam listed 157 U.S. personnel and the Provisional Revolutionary Government (PRG) listed 121, for a total of 278, of whom 256 were U.S. military personnel and 22 were U.S. civilians. These lists did not cover those captured in Laos; and on February 1, in response to our urgent request, a further list of nine Americans, described as prisoners of the "Lao Patriotic Front," was handed to U.S. officials by North Vietnamese officials in Paris. Those nine included seven U.S. military personnel and two civilians. The PRG subsequently informed us they held one additional U.S. prisoner, bringing the overall total of U.S. personnel released from Indochina to 588. The Communist side listed nine non-U.S. personnel on these lists: two West Germans, two Canadians, two Philippine nationals, two Thai, and one South Vietnamese.

To round out the figures, it should be noted that two U.S. military personnel and one American civilian who had been detained in the People's Republic of China were released during the same period and flown home under Operation Homecoming. Thus the total number of Americans returning home was 591.

Under article 8(a), the release of captured military personnel (POW's) was to be carried out "simultaneously" with the withdrawal of U.S. troops, at approximately 15-day intervals. The first release took place close to that schedule and was followed by a "good will" release a few days later. When further releases failed to keep to schedule, the President ordered a halt in U.S. force withdrawals to make clear the importance we attached to prompt and full compliance with the agreement. A final impasse over the release of prisoners captured in Laos was resolved when North Viet-Nam arranged their release March 28 in Hanoi. The final prisoners captured in North Viet-Nam were released March 29.

It should be noted that the majority of prisoners captured in South Viet-Nam, as

well as all those captured in Laos, were in fact moved to and held in North Viet-Nam, in most cases soon after their capture. Communist authorities went to considerable lengths to conceal this from the rest of the world, presumably in furtherance of their refusal to acknowledge North Viet-Nam's responsibility for Communist forces in South Viet-Nam. The U.S. prisoners from the South were held separately from those captured in the North until shortly before their release. Throughout the conflict, Communist officials maintained the position that they could not provide information or mail for prisoners captured in South Viet-Nam because they were held in the "war zone"; i.e., South Viet-Nam. We have confirmation now that the great majority were in fact held in North Viet-Nam, in many cases no farther from the Hanoi post office than those captured in the North.

During the same 60-day period, the Republic of Viet-Nam, with our support, released more than 26,000 Communist prisoners of war. Another 10,000 Viet Cong POW's who had entered the "New Life" program and made clear their desire to remain in the Republic of Viet-Nam had been released prior to the agreement. We were aware of the problems attached to the release of prisoners of war in the Korean conflict, when a settlement was delayed more than a year largely over the question of nonforcible repatriation, and were determined that the release of enemy prisoners of war in this conflict should not become an obstacle to a settlement. Altogether, a total of 26,508 North Vietnamese and Viet Cong POW's were released in compliance with the Viet-Nam agreement and protocols. The Communist side during the same period released approximately 5,000 South Vietnamese POW's.

From its past hearings this subcommittee has firsthand testimony on the consequences for our men of North Viet-Nam's refusal to treat them in accordance with the Geneva Convention. The Communist side never permitted impartial inspection of POW camps; mail and packages were sporadic and lim-

ited—virtually nonexistent for our men captured in South Viet-Nam and Laos (even though they were held in the North).

The following information for the Republic of Viet-Nam thus provides an interesting contrast. From 1966 through the end of 1972, there were a total of 175 separate inspections of POW facilities in South Viet-Nam by the International Committee of the Red Cross, carried out by 60 different ICRC delegates. Reports on these visits were provided to the Government of Viet-Nam, who shared them with us because of our responsibility for U.S.-captured POW's under article 12 of the Geneva Convention.

During the three years 1970-72, Communist POW's received over 510,000 letters and over 115,000 parcels, while sending over 280,000 pieces of mail. With rare exceptions North Vietnamese POW's did not avail themselves of the opportunity to send mail to their families in the North. The small number of letters sent by those men were forwarded through the ICRC, but it is not known what happened to them after they reached North Viet-Nam.

It is a matter of continuing regret to us that the Communist side persisted to the end in its refusal to accept the ICRC in its humanitarian role on behalf of prisoners of war. Our negotiators sought to have the ICRC designated to observe and assist in the release and return home of POW's on both sides under the Viet-Nam agreement. When this was rejected, agreement was reached to designate two or more "national" Red Cross societies for this purpose (article 9 of the captured persons protocol). The Red Cross societies of Canada and Poland were nominated for this purpose, and the National Commissioner of the Canadian Red Cross went personally to Viet-Nam to head his society's team. The Communist side refused, however, to cooperate in arrangements for even this final effort at Red Cross inspection, and the POW's were released without benefit of Red Cross observation.

Article 8(b) of the Viet-Nam agreement quoted above contains far-reaching provi-

sions for exchange of information on the missing and on the dead. Although this subject has been covered in past war-ending agreements, to my knowledge this is the most specific such provision ever agreed to by the two sides in an armed conflict. This section is important in light of our experience following the Korean war, when North Korea failed to provide information or accounting for a large number of American and other U.N. Command personnel known or believed to have been in their hands.

It was also important in view of the Communist side's poor record during this conflict in identifying prisoners of war as required by the Geneva Convention. Although we had been able to accumulate information on many of our men, especially on those captured in North Viet-Nam, there was always uncertainty as to the accuracy and completeness of this knowledge. Until the day of the cease-fire, we had received no lists or other direct word on the majority of our prisoners captured in South Viet-Nam and Laos. There had been no communication from these men to their families, in some cases during periods of captivity extending up to nine years.

Thus we have long been aware of the importance of obtaining the fullest possible accounting for all our personnel. Through the years, our diplomatic efforts were part of a wide-ranging effort to gather information about our missing men. Family members and others traveled throughout the world in private efforts to seek word of loved ones. In Indochina, our Embassies and U.S. forces in the field carried out continuing efforts in this area. The Joint Personnel Recovery Center was the main repository for information on the missing as well as on those listed as dead, body not recovered.

At the time of the cease-fire, more than 1,100 U.S. personnel, including civilians, were listed as missing in Indochina. They come from all the military services and are of high rank as well as low. They include over 20 American civilians, among them contract workers, merchant seamen, and a State Department officer missing since the Tet of-

fensive in 1968. Three missionaries of the Christian and Missionary Alliance have been gone since May 30, 1962—the longest time for any Americans missing or captured in Indochina.

Our efforts to obtain information on these people are going forward on three fronts:

1. *As each POW returned, he was carefully debriefed for any information he might have on any others known to him*—U.S. military personnel, civilians, foreign nationals. It might be no more than a nickname or a glimpse of someone across a prison compound. No matter how small the bit of information, it was logged into our system and carefully analyzed. Thus a stockpile of information was acquired which has already helped resolve the cases of some of our missing men.

It should be noted that there is no indication from these debriefings that any American personnel continue to be held in Indochina. All American prisoners known to any of our returned POW's have either been released or been listed by the Communist authorities as having died in captivity. Returnees with whom I have talked, including those who appeared before this subcommittee May 23, are clear in their belief that no U.S. prisoners continue to be held.

The present situation thus differs from that following the return of our POW's in Korea. You, Mr. Chairman [Representative Clement J. Zablocki], conducted hearings on that subject and heard testimony about the large number of Americans reported by returned POW's who were neither returned nor accounted for. Despite persistent efforts by the U.N. Command and U.S. Government, the other side in that conflict failed to provide additional information, and our missing men were eventually presumed dead. As stated, there are no reports from our returned men in this conflict that other Americans are held in captivity.

2. *We are in direct contact with officials of the Communist side.* In Saigon, we are proceeding through the Four-Party Joint Military Team established under the Viet-Nam agreement. The team has already made two

trips to North Viet-Nam to visit cemeteries where Americans who died in captivity are buried. Communist officials have also acknowledged the existence of additional graves of Americans who died in aircraft crashes or of other causes. Our aim is to arrange the early repatriation of the remains of as many of these persons as possible.

At the same time, we have made clear our urgent interest in receiving information on the missing. Complete lists of our missing personnel have been provided to the Four-Party Team for this purpose.

In Laos, U.S. officials have been in direct contact with representatives of the Lao Patriotic Front (the Pathet Lao) to press for additional information on Americans missing or captured in Laos. We have told the Communist side of our concern at the small number of Americans listed as captured in Laos, in view of past hints that a larger number were held by Pathet Lao forces, and in view of evidence that at least two others had been captured in Laos. The Communist side has repeatedly told us and has recently stated publicly that there are no more Americans captured or held in Laos. They have also said that further accounting for the missing must await the formation of a coalition government, as specified in the February 21 Laos cease-fire agreement. Our efforts to convince the Communist side to proceed with this accounting without waiting for a new government to be formed have thus far been in vain.

There is little to say at this point regarding missing or captured personnel in Cambodia. In his press briefing January 24, Dr. [Henry A.] Kissinger said, "We have been told that no American prisoners are held in Cambodia." We are aware of reports gathered by journalists and others that there continue to be prisoners detained in Cambodia, possibly including some of the 20 international journalists missing in that area. Although there has been no confirmation of these reports from the Communist side, they suggest the possibility that some Western personnel continue to be held in the country. Journalists in a number of countries have formed International Committees to Free

Journalists Held in Southeast Asia, the U.S. committee of which is chaired by Walter Cronkite of CBS News. We have maintained close touch with this group and share their hope for favorable word on the missing newsmen.

3. *We are carrying out our own efforts to search for information on our missing and dead.* Specific responsibility for this has been assigned to the Joint Casualty Resolution Center, located in Thailand at Nakhon Phanom near the Lao border. The JCRC is manned by American military personnel and functions with the close assistance of our Embassies and consulates in the area. We have told the Communist side about the JCRC, making clear its peaceful, open, and humanitarian purpose. The JCRC already has carried out a number of searches, so far in South Viet-Nam. We plan to work in harmony with local people wherever Americans may be missing or dead, and we hope to have the cooperation of the Communist authorities. Our aim is to find the fullest possible information on each missing man. We recognize this is an enormous undertaking and that we cannot succeed in every case, or even in a majority of cases. But we intend to try.

We want to do the job thoroughly, but we also recognize an obligation to move quickly. Many of our men have been missing for up to eight years, some even longer. During that time wives and families have lived with the anguish—and the legal complications—of not knowing the fate of their men. Speed is also essential because information about the missing becomes more elusive with passage of time.

In conclusion, Mr. Chairman, may I express my own sense of joy at the return of our men. Seeing them last week when they were here for the President's May 24 dinner, I was reminded of the first group I saw arriving at Gia Lam Airport in Hanoi last February 12. The guards ordered the men off the bus. Suddenly, the senior American officer of the group took command away from the guards and gave the orders for the men to march in formation to the release point.

The guards tried to intervene but fell back. It was clear then that, despite the grim experience of their captivity, our men had endured and prevailed. They deserve our thanks and commendation, as do their families.

And they would be the first, I know, to join in expressing our sense of obligation to the missing and to their families. I can assure you this subject will continue to have our most serious attention.

IX. ACCUSATIONS, DENIALS, AND DISPOSITION OF ALLEGED POW ACTS OF MISCONDUCT

## Some ex-POWs ask to be tried

By Dana Adams Schmidt  
Staff correspondent of  
The Christian Science Monitor

### Washington

Several former prisoners of war have requested public military courts martial to defend themselves against charges of collaboration with the enemy.

The charges have been made by their military superiors in internal and confidential "efficiency reports" on the men, who have asked that their names not be made public for now.

According to high-level Pentagon sources, the men, almost all of whom are enlisted men, complain that such adverse reports can put an end to their prospect of promotion in the military services.

They include some of eight Army enlisted men who were captured in South Vietnam and who were marched north to a prison camp near Hanoi and who later formed a "peace committee" and delivered statements critical of American policy over Radio Hanoi.

The former POWs, now the targets of allegations by pilots who were held in the same prison camp, contend that it was not collaboration with the North Vietnamese that annoyed the Air Force officers but the fact that they kept to themselves and formed their own self-protective organization.

While the pilots, including Col. James R. Risner and Col. Theodore Guy, formed an "organization" sometimes called the "88th Fighter Wing" which sought to impose standards of conduct on all the prisoners, the enlisted men say that they formed their own "organization." The name "peace committee," they maintain, did not really imply treasonable conduct.

One officer who appears to have been associated with the so-called committee was Navy Capt. Walter E. Wilber of Columbia Crossroads, Pa., who has repeatedly stated that he voluntarily made statements critical of American policy because he felt it a matter of conscience. He says he was never tortured during his five years of imprisonment.

### Penalties demanded

Two officers of the Air Force have publicly demanded that the armed forces put aside their "forgive-and-forget" policy and take

steps to penalize those who resisted the discipline of their superiors in prison camp or collaborated with the North Vietnamese.

One of them, Colonel Risner, said in an interview at Oklahoma City Thursday that such men should be punished by having unfavorable reports put in their records which would prevent them from attaining positions of responsibility. He said the organization formed by the officers was to some extent still in being.

"We did have a commander, a deputy for operations, and so forth on down the line," he said, "to take care of infractions of the regulations, violations of the directives, and so forth. And I believe it would be best — all of our interests would be best served — if any disciplinary action is left up to the organization."

While Colonel Risner apparently hoped in this way to avoid any open preferential charges, Colonel Guy said in an interview earlier that he and some other officers were considering bringing charges against individuals who won privileges from the North Vietnamese by making voluntary statements

instead of respecting the order that they speak only when they had reached the limits of their capacity to resist torture.

Some high-ranking Pentagon officers expressed distress Friday at the remarks made both by Colonel Risner and Colonel Guy which ran counter to the Defense Department's efforts to maintain at least a surface harmony among prisoners.

WASHINGTON POST, May 30, 1973

# POW Colonel Files Charges Accusing 8 of Misconduct

By Michael Getler

Washington Post Staff Writer

An Air Force colonel—the senior officer in a prisoner of war camp outside Hanoi—filed formal charges yesterday against five Army and three Marine Corps enlisted men for "alleged misconduct while in a North Vietnamese prison camp."

The charges, brought by 44-year old Col. Theodore W. Guy, who spent 4½ years in a POW camp known as "The Plantation," marked the first such move against any of the 566 Americans who have returned home from Communist prisons.

The charges include alleged violations of several articles of the Uniform Code of Mil-

itary Justice (UCMJ), including "aiding the enemy" and in some cases "seeking political asylum from officials of the North Vietnamese Army." Two of the five Army men charged are accused of "constructing model aircraft for use by the North Vietnamese Army in conducting target practice for their soldiers at the camp."

The charges preferred by Col. Guy are court-martial offenses. They have been referred to the Secretaries of the Army and Navy, who must decide whether to convene courts-martial for the men.

The eight enlisted men, according to military sources, were allegedly part of what came to be known as a "Peace Committee" formed in the North Vietnamese prison

camp by men who supposedly rejected U.S. war policy and the orders of senior U.S. officers while in captivity.

This first action to bring formal charges against some former POWs carries with it a *crosscurrent of potentially explosive issues.*

For one thing, Guy is an Air Force officer bringing charges against Army and Marine Corps personnel. For another, all of the men charged by Guy are enlisted. A number of POWs have privately expressed concern that charges have not been brought by other senior POW base commanders against two or three U.S. officers who, in their opinion, allegedly also violated portions of the military code.

There was also discussion within the Pentagon and military services about the wisdom of bringing charges against the eight men, but defense officials deny, emphatically that there was any pressure placed on Col. Guy not to make the charges.

Officials concede, however, that there is a difference of opinion among military lawyers as to whether the case against the men can be successfully proved.

At the same time, military officers say the act of filing the charges and identifying those accused of alleged misconduct by itself serves to "protect the reputation of the men in the camp" who were viewed by their seniors as conducting themselves properly.

The Marine Corps, after notifying the individuals involved, late yesterday revealed the names of the three men and the charges against them.

Sgt. Able L. Kavanaugh, 24, of Denver; Staff Sgt. Alphonso E. Riate, 28, of Santa Rosa, Calif.; and Pvt. Frederick L. Elbert, 25, of Brentwood, N.Y., were each charged by Guy with violating Articles 81, 92, 104 and 134 of the UCMJ.

Those articles, respectively, involve: conspiracy to undermine discipline and loyalty; failure to obey a lawful order or regulation; aiding the enemy and the so-called "general article" "134" which covers various forms of unbecoming conduct.

Kavanaugh and Riate were also charged with violation of Article 89, involving disrespect toward a superior commissioned officer. Riate also had an assault charge included in the complaints filed against him.

The three Marines are all

on convalescent leave from naval hospitals in California and New York, and attempts to reach them yesterday were unsuccessful. The Pentagon provided only hometowns of record for the men and would not supply a home telephone numbers.

The Army identified the five other men charged early yesterday evening. These include: Sp. 4 Michael P. Branch, Staff Sgt. Robert P. Chenoweth; Staff Sgt. James A. Daly Jr.; Staff Sgt. King D. Rayford Jr.; and Staff Sgt. John A. Young. All five men were also on convalescent leave from military hospitals.

Each of the five is charged with violation of Article 92 for alleged failure to obey an order to stop all collaboration with the enemy, and of Article 104 which involves complaints of collaboration, accepting preferential treatment, and seeking political asylum.

Sgts. Young and Chenoweth are charged with the model-airplane target construction and Sp. 4 Branch is tagged with an additional charge of disrespect to an officer.

Before the service secretaries decide to court-martial the men, it is probable that a full investigation of Guy's charges will be made. After such an investigation, the secretaries could move to dismiss the charges, take administrative action against the accused men, recommend non-judicial punishment or order a court-martial.

Guy, who was the senior officer of a camp about 15 miles southwest of Hanoi where 108 U.S. prisoners were detained, said in a radio interview yesterday that he had "stayed awake many nights" wrestling with his conscience over whether to file the charges. He said he was con-

vinced that it was necessary to keep Communists in future wars from using prisoners for propaganda purposes.

Guy said he was not pressured by the Pentagon to file the charge.

In January, the Pentagon announced it would not file charges against POWs for statements made in captivity. But that did not rule out individual men filing charges, or the prospect of charges for other alleged offenses.

Pentagon spokesman Jerry W. Friedheim said yesterday that "a few other" former POWs had talked to legal officers about the prospects of filing charges against other POWs, both officers and enlisted.

Friedheim said, however, that no other formal charges were pending at this point, and other officials rated the chances as less than 50-50 that additional charges would be forthcoming.

From the outset of POW release in February, the administration in general has hoped to smooth over the harsh feelings of some of the returning prisoners.

"There was reluctance all around to get involved with this," said one officer close to the situation. "But it also mattered that as commander of that base, Guy had to protect the reputation of all the (other) men in that camp. He probably realized that, that it had to be exposed. He had a dual duty both to enforce discipline and reward proper behavior. You can advise this guy all you want, but none of those advising him went through what he did."

Guy, in an interview with Associated Press last month, said he was "turned in" to the enemy by some fellow prisoners and tortured because of his efforts to set up a communications code and discipline among the POWs.

NEW YORK TIMES, May 31, 1973

## COLONEL'S CHARGE DENIED BY P.O.W.'S

### Allegation of Collaborations Rejected by Enlisted Men

By United Press International

Prisoners of war charged by Col. Theodore W. Guy with collaborating with the enemy said, yesterday, some through spokesmen, that they had not helped the North Vietnamese any more than most prisoners had done.

"If they have charged all these men, they'll have to charge almost all of them," said Mark Amsterdam, attorney for Marine Sgt. Abel L. Kavanaugh, 24 years old, of Denver. "Most of the ex-P.O.W.'s have admitted collaborating to some extent.

"The military would be foolish to press charges. He served this country in the way he thought correct, according to his conscience."

Sgt. Kavanaugh, two other Marines and five enlisted Army men were accused yesterday by Colonel Guy, 44, of military violations ranging from seeking political asylum in Hanoi to making model planes for the North Vietnamese to use in target practice.

Pentagon sources said there may be more prisoners of war charged.

Most of those charged yesterday would not speak publicly at least until they saw the detailed charges against them. Several already had lawyers working for them.

"I made statements just as any prisoner made," Army Sgt. James Daly of Brooklyn told NBC news. "I had no choice.

"The statements that I made were antiwar statements as far as the war was concerned. I'm quite sure Mr. Guy, the one who is bringing the charges, has made the same statements that I have made."

Army Sgt. John A. Young, 27, of Graylake, Ill., told The Arlington Heights Herald that the charges were "silly" and "ridiculous." Sergeant Young, on convalescent leave from Fitzsimons General Hospital in Denver, did not elaborate because,

he said he wanted to talk to a lawyer first, but he did deny the model plane charge.

"I think that if they want to investigate me, I think they should investigate all the P.O.W.'s including Colonel Guy," he said.

Sergeant Kavanaugh said the charges were outrageous but left most of the talking to his attorney. The marine did say he was seeking an immediate discharge.

An attorney for Army Specialist 4 Michael Branch, 26, of Covington, Ky., said the soldier was "upset" about the charges, although "I don't think he has a lot to be concerned about from a legal point of view."

John Hederman, attorney for Pvt. Frederick L. Elbert of the Marines, 24, Brentwood, L.I., said he would not comment until after he saw a copy of the charges. "All I can say now is that Private Elbert has indicated to me that he feels he did not do anything wrong while he was incarcerated," Mr. Hederman said.

WASHINGTON POST, June 1, 1973

# Civilian Says Eight POWs Spied on Fellow Prisoners

By William Claiborne  
and William A. Eisen

Washington Post Staff Writers

Some of the eight former prisoners of war charged by an officer with misconduct spied on other POWs and occasionally donned North Vietnamese uniforms to receive favorable treatment, according to a U.S. civilian official who was a fellow captive.

The alleged collaborators, in turn, received extensive special privileges, including beer and liquor and high-protein foods, the official said.

Some of the accused POWs then asked their captors for permission to remain in North Vietnam after the war, or to be transported to a socialist or neutral country, according to the official.

Michael D. Bengtson, an Agency for International Development adviser who was held in a prison camp near Hanoi called The Plantation from November, 1970, until March, 1973, disclosed his version of the conduct of the accused POWs in an interview with The Washington Post and

in an address at a high school in Gervais, Ore.

Air Force Col. Theodore W. Guy, who was the senior officer at The Plantation, filed formal charges Tuesday against five Army and three Marine Corps enlisted men for court-martial offenses ranging from aiding the enemy to constructing model aircraft for the North Vietnamese to use in target practice.

The enlisted men have denied the charges, and some have accused Guy of attempting to demonstrate for self-serving purposes that there was a framework of military discipline in the camp when actually there was not.

name hypocrisy came when the (peace) agreements were signed and these guys were told they would have to go home," said Bengé.

A 37-year-old former Marine who speaks Vietnamese fluently, Bengé currently is on a speaking tour of the West, talking about his prison camp experiences and about atrocities against the Montagnard tribesmen in the highlands.

Bengé said he first learned about the existence of a group of prisoners called "the peace committee" about three months after arriving at The Plantation.

"I tried contacting them to tell them to shut their mouths because the North Vietnamese don't allow their own people to talk. I tried to talk in the courtyard, through our communications, and tried to write them letters. I was put in solitary confinement," Bengé said.

Later, Bengé said, he and other prisoners "realized there were eight spies" in the camp to report to the North Vietnamese on the activities of other prisoners.

He said he believes that any POWs whose cooperation with the enemy resulted in beatings or other punishment for other prisoners should be discharged from the military and tried in civil courts.

"Others who made antiwar statements, willingly or otherwise, have to live with their consciences," Bengé said. "That's punishment enough. Prison is hell for anyone."

Another Plantation prisoner, Sp. 6 John Sparks, of Chattanooga, Tenn., said he knew all eight men accused of misconduct, but that he feels their actions were based upon disenchantment with the war rather than solely an attempt to get special treatment.

"It was at a time when there was a lot of bombing going on and some of the men disagreed with the way the war was being conducted," said

Sparks. He said he believed the eight accused men wanted political asylum when the peace agreement was signed.

An Army spokesman said yesterday that Guy's written charges have been sent to the judge advocate general's office for an opinion on whether courts-martial should be held. The office will review debriefing statements made by 12 witnesses listed by Guy before sending an opinion to the Secretary of the Army, the spokesman said.

The plans to file a \$1 million lawsuit against Guy were announced by William J. Hagedorn, a Newport, Ky., lawyer retained by Branch. The suit will seek damages for defamation of Branch and his parents, Hagedorn said.

Hagedorn also said Branch was concerned that Guy's charges might upset current divorce litigation against his wife, Marilyn, in Indianapolis. The custody of two children is at stake, Hagedorn said.

Elliott Vernon, an attorney for Daly, said Daly "realized something was in the wind" as early as April and changed his plans to re-enlist in the Army. Vernon said the Pentagon had previously assured him that former Defense Secretary Melvin Laird's "forgive and honor" policy would preclude any charges.

Vernon said he planned to contact attorneys for the other accused POWs for a possible joint legal action against Guy.

Branch told the Associated Press that during most of his four years and 10 months of confinement, there was no chain of command or communications network at the Plantation.

"It was like a bazaar—chaos. Everybody was on his own. When the war was coming to an end—and this is my own opinion—Col. Guy and the other officers started making a show of order," he told the wire service.

One of the accused POWs prepared to file a \$1 million civil damage suit against Guy. Others said they were thinking of joining the civil suit.

The Marine Corps POWs accused by Guy are Sgt. Able L. Kavanaugh of Denver; S Sgt. Alphonso Riate of Santa Rosa, Calif., and Pvt. Frederick L. Elbert of Brentwood, N.Y.

The five Army men are Sp. 4 Michael P. Branch of Newport, Ky.; and S. Sgts. Robert P. Chenoweth of Portland, Ore.; James A. Daly Jr. of New York City; John Young of Grayslake, Ill., and King D. Rayford of Chicago.

Bengé said he was held captive with Guy and the eight accused enlisted men in two prison camps, over a period of about four years.

Bengé said some of the accused "cooperated willingly to the point that it resulted in others being beaten, mistreated and placed in solitary confinement for long periods of time."

At least two of the group, Bengé said, openly declared that "they would do anything to get out one day sooner."

"Some went as far as taking North Vietnamese uniforms," he added.

The special treatment accorded the cooperating prisoners, Bengé said, included allotments of Vietnamese beer, wine and liquor, candy, soft drinks, peanuts and popcorn. Some of these foods were particularly valuable to the prisoners because of their high protein content, Bengé said.

The cooperating prisoners, Bengé charged, were allowed to write letters and receive mail from home, and were given "guided tours" of Hanoi.

"The epitome of North Viet-

**NEWSWEEK**, June 11, 1973

POW'S:

**The Plantation Eight**

An ugly rumor came home from North Vietnam with the American POW's: that a handful of the 565 men captured and held over the years by the North Vietnamese had openly sold out their fellow prisoners in return for soft treatment from their prison guards. For months, the Pentagon has hoped to keep the tale under wraps, arguing that it couldn't be proved, that recriminations are now useless—and that a round of trials would only affront the sensibilities of a war-weary nation. But the odds that the story would be forgotten—or the suspected men forgiven—took a bad beating last week when Col. Theodore W. Guy, 44, a crew-cut Air Force colonel who was senior man among the 103 American POW's at a prison camp called "The Plantation" near Hanoi, announced that he would press charges of misconduct against eight enlisted men who had been under his command.

Guy had agonized for weeks under urgings from the military establishment—and some of his own brother POW officers—to maintain the silence. When he finally broke it last week, he named five Army men (Staff Sergeants Robert P. Chenoweth, James A. Daly Jr., King D. Rayford Jr. and John A. Young and Sp 4 Michael P. Branch) and three Marines (S/Sgt. Alfonso R. Riate, Sgt. Abel L. Kavanaugh, and Pvt. Frederick L. Elbert). The men angrily denied that their conduct had been any worse than that of the other POW's. "I can't believe he filed a complaint against us," snapped Branch. "We signed statements—and a lot of those officers did, too." And Kavanaugh's attorney, Mark Amsterdam of the dovish Center for Constitutional Rights in New York, added: "If they have charged these men . . . they'll have to charge almost all of them."

That appalling possibility was not lost on the Pentagon. Three times in as many months military legal brass counseled Guy that his case was based mostly on hearsay. But the lean little colonel pressed ahead. In April he held a press conference, angrily accused a small group of unnamed POW's of turning their backs on "their fellow Americans" and broached the possibility of pressing charges. They "not only made statements," he claimed, "but accepted many favors and gratuities from the Communists for their cooperation."

As against the crimes Guy sketched, the "favors and gratuities" sounded almost pathetic—beer, cigarettes and rest periods in the sun. In return, claimed the colonel, a few POW's had betrayed the "tap code" system by which their comrades-in-chains communicated with

one another, had made model airplanes used by the North Vietnamese for anti-aircraft practice and had taped propaganda statements for Radio Hanoi. Most heinous of all, Guy said, informers had told the prison commandant about his own role as the camp's sub-rosa POW commander—a betrayal that won him beatings and solitary confinement.

Contact: The Guy offensive quickly produced a deafening and confusing barrage of denials from the Plantation Eight. "There is no basis in fact for any of this," said Daly, a black soldier living with his widowed mother and six brothers and sisters in Brooklyn. "All I wanted when I was released was to be left in peace. Now I find out that not only was my captivity not honorable, but it's ruining my life." Several of the men in fact argued that they had had hardly any contact with Guy at all. Kavanaugh claimed last week that he had never even met the colonel. Daly said he hadn't either until three weeks before his own release—when Guy was reading the orders for evacuation to the men. And Elbert maintained that he had met his accuser only twice, once near the end of his four-and-a-half-year prison-camp hitch—and then at President Nixon's White House party for the ex-POW's two weeks ago.

There were other peculiarities in Guy's story. For one thing, none of the men he had fingered were from his own wing of the service—the Air Force. For another, the suspects were all enlisted men, a fact that made it look like there was a double standard of justice for officers and the ranks. That problem, reports **NEWSWEEK's** Thomas M. DeFrank, is especially embarrassing in light of stories that at least two senior officers among the POW's were flagrant in pandering to their captors—and yet have not been charged.

Even if the worst were true, however, Pentagon officials argued privately last week that the men named could still muster a horde of mitigating defenses. All the men were originally taken prisoner in South Vietnam, where survival was a matter of self-preservation. Later, in the north, one of the men was threatened daily with castration if he refused to cooperate. "These guys did some things that they should not have done," one Pentagon staffer said last week. "But they spent five years in prison, too. They went through plenty of deprivation and anguish just like everyone else, and I see no useful purpose in pursuing any of this." As a matter of law, the Army and Marine Corps must do precisely that; they may even be forced to bring some of the cases to courts-martial. Hardly anybody but Guy really wanted the case against the eight to come to that. Sighed one Pentagon topsider last week: "I just wish the whole thing would go away."

WASHINGTON POST, June 27, 1973

# 2 Officer POWs Charged With Mutiny

Two of the highest-ranking prisoners of war released by North Vietnam have been charged with mutiny and aiding the enemy, offenses that carry the death penalty, the Pentagon announced yesterday.

Navy Capt. Walter E. Wilber and Marine Lt. Col. Edison W. Miller, both fighter pilots, have also been charged with failure to obey orders, soliciting collaboration, misconduct as a prisoner and causing insubordination and disloyalty.

As defined by the Navy, mutiny involves collective insubordination by two or more persons, or it can consist simply of persistent refusal on the part of one person to obey orders.

The harsh indictment of the two officers' conduct was lodged by Rear Adm. James B. Stockdale, who was the deputy senior officer at the "Hanoi Hilton" prison camp for nearly eight years.

Stockdale's charges were the first brought against members of the officer corps who were released from Communist prisons following the first cease-fire accord last January. Eight enlisted men were charged last month by Air Force Col. Theodore W. Guy, commander of a Hanoi camp called The Plantation.

Filing of the charges followed closely criticism within the services that the only former POWs who were being accused of misconduct were enlisted men, most of whom were draftees.

Pentagon sources said they were unaware of anyone else who is seriously considering bringing charges of prison camp misconduct.

Wilber was the executive officer of a squadron of F4 Phantom jet fighters when he

was shot down over North Vietnam on June 16, 1968 after 20 missions. Miller's Marine F-4 Phantom went down over North Vietnam on Oct. 13, 1967.

On Christmas Day, 1970, Wilber and another officer, Navy Cmdr. Robert Schweitzer, were portrayed in a 13-minute interview filmed in Hanoi by newsmen from the Canadian Broadcasting Corp. and a three-man Japanese camera crew.

During the interview, in which about 30 POWs were shown in the background, Wilber called the Vietnam war "bad" and said, "The answer, of course, is that the war must be stopped now."

One of five POWs pictured at close range during the filmed interview was Lt. Col. Miller. Schweitzer, who also made an oral statement against the war, has not been charged, however.

Shortly after his return to the U.S., Wilber appeared on a CBS-TV interview program, "60 Minutes", and admitted making antiwar statements as a POW without having been tortured. He said the statements were based on his convictions at the time of his capture and on the basis of prolonged contemplation of the effects of the war.

Wilber, 41, lives in Columbia Cross Roads, Pa., with his wife, Jeanne, and three sons.

Officials of the Fourth Naval District in Philadelphia said Wilber and his wife appeared there yesterday morning, and that the charges were formally read to the captain.

Before leaving, Wilber drafted a terse statement in which he said he would have no comment until the Navy's preliminary inquiry is completed.

Miller, 41, who lives in Tusin, Calif., could not be reached. However, before the formal

charges had been received by the Pentagon, Miller said, "I realize this is a serious matter and it will be a difficult time for my family and friends . . . I have nothing to hide and have great deal of confidence in my country and its system of justice."

Pentagon officials refused to reveal the specific acts of misconduct alleged in Stockdale's charges. One Navy source said the charges are more detailed than the general charges of collaboration made against the eight enlisted men, and, therefore, military lawyers had ruled that their disclosure could be extremely prejudicial to the defendants and others mentioned.

According to the Code of Military Justice, the charge of misconduct by a prisoner covers all acts "which tend to ameliorate his condition to the detriment of other prisoners."

The code says that in cases of mutiny, it is not necessary that the act of insubordination be active or violent. Instead, the code specifies, it may consist merely of intent to refuse to obey orders.

Navy officials said such orders could include directives from Stockdale or the "Hanoi Hilton" senior commander, Brig. Gen. John P. Flynn, not to meet with the North Vietnamese or issue antiwar statements.

Pentagon sources said that when Stockdale filed the charges, he went against the wishes of Flynn, who had advocated a forgive-and-forget policy.

Stockdale's charges were being reviewed yesterday by the office of the Secretary of the Navy, which could order a formal grand jury-like inquiry, dismiss the action or refer it to a lower command level for investigation.

NEW YORK TIMES, June 28, 1973

## Marine P.O.W., 24, Charged With Collaboration, Kills Himself

COMMERCE CITY, Colo., June 27 (AP) — A young marine charged with collaborating with the enemy while in a North Vietnam prison camp shot himself to death today, the police said.

Sgt. Abel Larry Kavanaugh, 24 years old, who returned home less than two months ago, died of one bullet that had entered the left temple, the police said.

Sergeant Kavanaugh was the second former P.O.W. to take his own life since returning home. He was one of eight former P.O.W.'s charged with aiding and conspiring with the enemy while he was held at a camp called the Plantation near Hanoi. Col. Theodore W. Guy, of Tucson, Ariz., the senior P.O.W. officer in the camp, had filed charges against the eight enlisted men.

Sergeant Kavanaugh's death occurred at the home of his in-laws. His wife, Sandra, heard a shot in the bedroom and ran in and saw that her husband had fallen from the bed, the police said.

He had said of the charges against him: "I'm not guilty of any of them. I didn't do any of those things."

Last week, he and his wife and 5-year-old daughter Cindy had moved out of their apartment in nearby Westminster and he had said that he had requested a discharge "for personal reasons. I wish to find a job and go to night school." But he had been scheduled to return to Camp Pendleton, Calif., tomorrow to be reas-

signed at the end of a 60-day convalescent leave.

His attorney, Mark Amsterdam of New York, said he had talked with him on Tuesday by telephone to discuss the charges.

"He sounded very confident," Mr. Amsterdam said. "He said as soon as the charges were dropped he wanted to sue Colonel Guy, the one who pressed charges against him.

It's difficult to see why it happened."

"He said he was in perfect health and he generally seemed fine. It's difficult to see why it happened."

Captured April 24, 1968, while on patrol Sergeant Kavanaugh spent almost five years in prison camps.

He was identified on Hanoi radio in a broadcast Nov. 11, 1972, as having made a statement urging President Nixon to sign the Paris peace agreement. He was said by Hanoi on March 5, 1972, to have been one of three P.O.W.'s who sent a letter to the Vietnam News Service approving the actions of United States war protesters.

The five counts Colonel Guy charged Sergeant Kavanaugh with were disrespect toward an officer, disobedience to an order, communicating and corresponding with the enemy, conspiracy to impair loyalty and insubordination and counseling of the enemy.

The Pentagon said there was no certainty that Sergeant Kavanaugh would have been court-martialed on the charges.

WASHINGTON POST

JUN 29 1973

## Ex-Prisoner Denies Illegal Acts in Hanoi

By William Claiborne  
Washington Post Staff Writer

A Marine Corps pilot who has been charged with mutiny and aiding the enemy as a prisoner in North Vietnam said yesterday he is not ashamed of anything he did in six years of captivity.

"I am not ashamed of any action I took as a prisoner and I have not done anything illegal, disloyal, dishonest or harmful to the best interests of my fellow Americans," said Lt. Col. Edison W. Miller, who was the highest-ranking Marine held prisoner by North Vietnam.

Miller and Navy Capt. Walter E. Wilber were accused Tuesday by Rear Adm. James B. Stockdale of mutiny and aiding the enemy, both capital offenses. They were also charged with failure to obey orders, soliciting collaboration, misconduct as a prisoner and causing insubordination.

Stockdale was deputy senior officer at the Hanoi Hilton prison camp, in which Miller and Wilber were both incarcerated.

Previously, eight U.S. enlisted men had been accused of collaboration by Air Force Col. Theodore W. Guy, commander of a Hanoi prison camp called the Plantation. One of those ex-POWs, Marine Sgt. Abel Larry Kavanaugh, 24, committed suicide Wednesday in Commerce City, Colo.

Miller claimed yesterday he did everything in his power to improve the conditions of his fellow POWs.

In a lengthy statement issued by his attorney, Melvin Belli, of San Francisco, Miller described in detail his bailout from a jet fighter on Oct. 13, 1967, in which he said he suffered a broken back and ankle fractures. Moreover, he said, his left wrist was paralyzed for several months as a result of a beating by his captors for trying to escape.

He said he lost between 70 and 90 pounds in captivity, and that he has suffered "severe hearing loss."

In his statement, Miller said he had never met Stockdale and that he "completely and vehemently" denied the prison camp commander's charges.

"After handling over five years of captivity under very harsh conditions, I now have to deal with the severe problems of these charges. In addition, I am also under the strain of the pending dissolution of my marriage of some 20 years," Miller said.

Miller, 41, a veteran of the Korean war, was sued for divorce by his wife May 31. A resident of Tustin, Calif., he is the father of five sons.

The office of the Secretary of the Navy is studying Stockdale's charges to decide whether to bring grand jury-like proceedings against Miller and Wilber.

Navy officials at the Pentagon refused again yesterday to release any details of the offenses that the two pilots are alleged to have committed.

WASHINGTON POST, July 4, 1973

# POW Charges Dropped

## Army, Navy Say Evidence Is Insufficient

By William Claiborne  
Washington Post Staff Writer

Charges that seven former U.S. prisoners of war in North Vietnam collaborated with the enemy have been dropped, the Pentagon announced yesterday.

The Secretaries of the Army and the Navy said there was too little evidence against the five Army enlisted men and two Marines to warrant court-martial proceedings. Moreover, the Pentagon said, the charges filed by Air Force Col. Theodore W. Guy violated the military's policy against "holding trials for alleged propaganda statements."

Military sources said the bulk of evidence offered against the accused men is hearsay and circumstantial because for most of the time the prisoners were in isolation.

The Pentagon's ruling came too late for Marine Sgt. Abel Larry Kavanaugh, another former POW, who was found dead Wednesday in what police said was an apparent suicide.

Pentagon sources said the charges against Kavanaugh were voided when he died, but that his record would now be formally cleared.

Kavanaugh's widow, Sandra, 22, said in a telephone interview from Commerce City, Colo., that she thought the Pentagon's decision to drop the charges against the ex-POWs was a result of her husband's apparent suicide.

"I'm really happy that the charges have been dropped against the other men. I'm only sorry it didn't happen before Larry died," said Mrs. Kavanaugh.

Guy, the former Hanoi prison camp senior officer who filed the allegations of aiding the enemy and collaborating, said he still feels there is "sufficient evidence" to prosecute the seven enlisted men.

In a telephone interview from Chicago, Guy said he would abide by the Pentagon's decision but had no regrets for having made the charges.

"I felt I had an obligation as a commander and an officer to report all violations of the military code of conduct that were observed in the camp," Guy said.

The decision yesterday by

Army Secretary Howard H. Callaway and Navy Secretary John W. Warner left open the charges of mutiny and aiding the enemy pending against two former officer POWs, Navy Capt. Walter E. Wilber, 43, and Marine Lt. Col Edison W. Miller, 41.

Charges against the two pilots were filed last week by Rear Adm. James B. Stockdale, who was a senior POW commander for five years in the "Hanoi Hilton" prison camp.

Guy, who was a senior officer for five years of a Hanoi prison compound called The Plantation, filed his charges on May 29. He alleged that the eight enlisted men voluntarily made antiwar statements, received favorable treatment and openly collaborated with their captors to the point of wearing North Vietnamese uniforms and seeking permission to join the North Vietnamese Army.

The enlisted men who have been cleared are:

- Marine Sgt. Alphonso E. Riate, 28, of Santa Rosa, Calif.;
- Marine Pvt. Frederick L. Elbert, 25, of Brentwood, N.Y.;
- Army Sp 4 Michael P. Branch, of Newport, Ky.;
- and Staff Sgt. Robert P. Chenoweth, of Portland, Ore.;
- James A. Daly, of New York City;
- John A. Young, of Grayslake, Ill.;
- and King D. Rayford, of Chicago.

Despite the decision to drop charges, officials said that a review of the men's overall service records—including the time they spent in prison camps—found that they do not

meet "current qualitative standards" for the all-volunteer Army and, therefore, will be ineligible for re-enlistment.

The Navy Department said the two Marines would be considered for re-enlistment if they ask for it.

Most of the accused ex-POWs have indicated they want to return to civilian life.

In dismissing the charges, Callaway said, "We must not overlook the good behavior of these men during the two to three years each spent under brutal prison conditions in South Vietnam, before they were moved to the North—the lack of food and medical care, the sub-primitive living conditions and the physical torture."

"They had a very hard time and they behaved admirably during this period," Callaway said.

He said the dismissal of charges was recommended "because of the lack of legally sufficient evidence and because of the policy of the Department of Defense against holding trials for alleged propaganda statements."

Former Defense Secretary Melvin R. Laird decided the Pentagon would not initiate charges of prison camp misconduct but would permit any former POWs to make such allegations on their own.

Navy Secretary Warner said his own "personal review" of the charges against Kavanaugh, Elbert and Riate showed "mitigating factors," which, he said, included "severe deprivations and maltreatment" "at the hands of their captors."

Guy said yesterday he is convinced the Pentagon made

an "extensive investigation" of his charges and that he is satisfied with the results.

"I felt there was sufficient evidence. I felt I had an obligation to my men. I made promises to them that I would see this through, and I did to the best of my ability," the colonel said.

Referring to the accused POWs and their attitude toward the POWs' code of conduct, Guy said, "They could break it, but, dammit, when they get back they should get back on our side."

Guy said he learned of Kavanaugh's death listening to his car radio while returning to his home in Tucson, Ariz., from a cross-country vacation.

"I was very sorry to hear it. I felt a lot of sympathy," he said.

Guy said he feels the two officers, Wilber and Miller, should be prosecuted, "considering my knowledge of the charges and my knowledge of Adm Stockdale." When asked to speculate on the likelihood of dismissal, Guy said, "I hope it does not happen."

Of his own feelings about yesterday's Pentagon decision, Guy said, "I was surprised, because I felt there was evidence against these men. But I'm not bitter. I have never been bitter about anything in my life before, and I'm not bitter now."

Mrs. Kavanaugh, who is pregnant with her second child, said she was thinking of taking legal action against Guy, but she said she will await the outcome of the coroner's inquest on her husband's death.

NEW YORK TIMES, July 25, 1973

## Major in Air Force Files New Charges Against 7 P.O.W.'s

WASHINGTON, July 24 (AP) —An Air Force major who spent nearly five years in North Vietnamese captivity filed new mutiny charges today against seven Army and Marine enlisted men who recently were cleared of other misconduct allegations.

Three of the seven have been honorably discharged from the Army since the earlier charges were dismissed July 3 and Pen-

tagon lawyers say they cannot be tried under military law.

In a brief announcement, the Pentagon said that Maj. Edward W. Leonard Jr., 34 years old, had preferred charges at Maxwell Air Force base, Ala., against two Marines and five Army enlisted men under Article 94 of the Uniform Code of Military Justice, a section dealing with mutiny.

The announcement gave no details, saying that copies of the specific charges had not yet been received at the Pentagon.

In a recent interview, Major Leonard accused the Army of failing to investigate the first charges, which were filed by

Air Force Col. Theodore W. Guy.

Although the Navy also dropped charges filed by Colonel Guy against the Marines, Major Leonard said the "Navy Department didn't have much choice" because the Army had decided not to prosecute its accused.

Major Leonard was confined along with Colonel Guy and the enlisted men at North Vietnamese prison compound called the Plantation.

The three soldiers who have left the Army since Colonel Guy's charges are former Staff Sgts. Robert P. Chenoweth, 25, of Portland, Ore., and King D. Rayford, 27, of Chicago, and former Specialist 4 Michael P.

Branch, 26, of Highland Heights, Ky.

Still in the service are Army Staff Sgts. John A. Young, 27, of Grayslake, Ill., and James A. Daly, Jr., 25, of Brooklyn, Marine Staff Sgt. Alfonso Riate, 28, of Santa Rosa, Calif., and Marine Pvt. Frederick L. Elbert Jr., 25, of Brentwood, N.Y.

WASHINGTON POST, September 27, 1973

## Warner Drops Charges Against 2 Ex-POW Officers

Navy Secretary John R. Warner has dropped misconduct charges against two former prisoners of war brought by Adm. James B. Stockdale, a qualified Pentagon source told the Associated Press last night.

The charges had been brought against Marine Lt. Col. Edison Wainwright Miller of Tustin, Calif., and Navy Capt. Walter E. Wilber of Columbia Crossroads, Pa., for activities during their years in North Vietnamese prison camps.

They are the only ex-POW officers to have faced misconduct charges. At least eight enlisted men were similarly charged.

No charges are now pending against any of the 566 returned prisoners of war.

The Pentagon source, who asked to remain unidentified, said although Warner has decided against court-martial for Miller and Wilber, the two will receive some kind of nonjudicial discipline.

Stockdale has accused Wilber and Miller of mutiny, aiding the enemy, failure to obey an order, and related charges.

WASHINGTON POST, October 6, 1973

# Ex-POW Charges Dropped 2d Time

Associated Press

For the second time, the services of the Army and Navy have decided to throw out military charges against four Army and Marine enlisted men who were war prisoners in North Vietnam.

Pentagon sources said Secretary of the Army Howard H. Callaway and Secretary of the Navy John W. Warner would cite lack of evidence, the same grounds for dismissing earlier charges against the two soldiers and two Marines.

Affected by the new Callaway and Warner decisions are Army S. Sgt. James A. Daly Jr. of Brooklyn, N.Y., and John A. Young of Grasslake, Ill.; Marine S. Sgt. Alfonso Bate of Santa Rosa, Calif., and Marine Pvt. Frederick L. Elbert of Brentwood, N.Y.

The new actions, which were expected, clear the books of all formal charges against any of the 566 Americans who returned from North Vietnamese captivity early this year.

Three other enlisted men also were accused of mutiny, but they are now out of the Army and beyond the reach of military law. They too, had been cleared previously of aiding the enemy and other misconduct charges. An eighth enlisted former POW shot himself to death before the first charges were dropped in early July.

Last week, Warner dismissed mutiny and other misconduct charges against a Navy captain and a Marine lieutenant colonel but formally censured them for "failing to meet the standards expected of officers" while they were POWs. The two officers are retiring.

The first set of accusations against the eight enlisted men Air Force Col. Theodore W.

Guy, who commanded a POW compound for nearly five years.

It took a little more than a month for the services secretaries to decide there was insufficient evidence to warrant further legal action leading to possible courts martial.

Army lawyers acknowledged they had recommended dismissal of the charges without questioning 13 to 20 other former war prisoners who had been listed by Guy as potential witnesses against the accused soldiers and Marines. At the same time, other Pentagon legal sources said the Navy-Marine inquiry was less thorough than normal.

A few weeks later, Air Force Maj. Edward W. Leonard Jr., another former POW and a friend of Guy, accused the Army of failing to investigate Guy's allegations adequately. Leonard then filed new mutiny charges against the seven surviving enlisted men.

This time, the investigation took more than two months. Army lawyers said they questioned about 65 former POWs before forwarding their recommendations for disposition of the charges.

CRS-111

X. THE CODE OF CONDUCT AND THE BEHAVIOR OF AMERICAN POWs IN INDOCHINA

FEDERAL REGISTER, August 20, 1955

**EXECUTIVE ORDER 10631**

**CODE OF CONDUCT FOR MEMBERS OF THE  
ARMED FORCES OF THE UNITED STATES**

By virtue of the authority vested in me as President of the United States, and as Commander in Chief of the armed forces of the United States, I hereby prescribe the Code of Conduct for Members of the Armed Forces of the United States which is attached to this order and hereby made a part thereof.

Every member of the armed forces of the United States is expected to measure up to the standards embodied in this Code of Conduct while he is in combat or in captivity. To ensure achievement of these standards, each member of the armed forces liable to capture shall be provided with specific training and instruction designed to better equip him to counter and withstand all enemy efforts against him, and shall be fully instructed as to the behavior and obligations expected of him during combat or captivity.

The Secretary of Defense (and the Secretary of the Treasury with respect to the Coast Guard except when it is serving as part of the Navy) shall take such action as is deemed necessary to implement this order and to disseminate and make the said Code known to all members of the armed forces of the United States.

**DWIGHT D. EISENHOWER**

THE WHITE HOUSE,  
August 17, 1955.

**CODE OF CONDUCT FOR MEMBERS OF THE  
UNITED STATES ARMED FORCES**

**I**

I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

**II**

I will never surrender of my own free will. If in command I will never surrender my men while they still have the means to resist.

**III**

If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to

escape. I will accept neither parole nor special favors from the enemy.

**IV**

If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

**V**

When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

**VI**

I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.

ARMY, August 1973

Vietnam POW Experience May Dictate Changes**Measuring Up to the Code of Conduct**

The Department of Defense appears to have settled, for the time being at least, the question of how binding on prisoners of war it regards the Code of Conduct.

The last sentence of Article 5 of the code states that "I will make no oral or written statements disloyal to my country or harmful to their cause." The fact is, however, that a number of POWs from the Vietnam war have admitted making such statements and the Pentagon has stated that it does not plan to prosecute any of these men for doing so.

Some of the former prisoners have been accused by superiors who were also POWs of violating another section of the code which enjoins the American fighting man to "keep faith" with fellow prisoners and refrain from giving information or taking part in any action which might bring harm to comrades. Actually accused of Uniform Code of Military Justice violations, all seven of those named by Air Force Col. Theodore W. Guy have been cleared for lack of sufficient evidence, while two others, in a separate case, are awaiting disposition of the charges against them.

Despite the years of frustration, achieving the release of the prisoners may turn out to be one of the simpler aspects of this grim episode. The after-effect of the ordeal on the POWs' personal lives, well-being and families can be expected to be enormous, already two of the men have taken their own lives, many are in poor health and there are reports of domestic problems and widespread difficulties in adapting to the society to which they returned.

These wounds and the cruelty that caused them are an important reason why the Pentagon is determined not to subject returned POWs to penalties for making antiwar statements, an act which certainly would seem to be in violation of the Code of Conduct clause forbidding statements harmful to the nation's cause. Undoubtedly, too, many of these declarations could also be construed as disloyal.

The Defense Department has been closemouthed about its stand but it seems clear that more is involved than previous suffering and fear of public opinion (which undeniably would be fierce). Of prime consideration is the fact that most, if not all, of these statements were obtained by North Vietnam and the Viet Cong under duress,

ranging from the threat of harm or privation to torture so extreme that one officer said after his release that he would have killed his mother if his captors had ordered him to do so. A "confession" obtained under such circumstances would be inadmissible in any court in the country; why should a soldier have fewer rights because he happened to be in enemy hands?

Another factor which must have occurred to those examining the dilemma is how can the government fairly condemn men for antiwar statements which were in most instances much milder than those being made daily by many citizens, up to and including some members of Congress and other elected officials? To be sure it can be argued that our servicemen have a stronger obligation to unswerving loyalty, but, if words can hurt a cause, who did the greater harm—those who, under obvious extreme pressure, made "admissions of guilt" whose sincerity would not have fooled a child, or those who sat back in safety and denounced our cause in bitter terms while praising the cruelest enemy our forces have ever faced? We tolerated this outrage when some of our most prestigious citizens were the culprits, can we send a soldier overseas and expect him to hold out to the death against brutal jailers who want him to say the war is immoral?

This is not to say that feeding an enemy propaganda mill isn't wrong. Many very good men thought so, too, while they could still think rationally—or before the pain became unbearable.

There have been reports that some men died rather than give in to their captors' demands for propaganda statements or military information. Some did so only under prolonged

physical and mental torture, which raises another point about the Code of Conduct: it pledges the American POW to evade answering "to the utmost of my ability" any questions other than name, rank, service number and date of birth.

What is an "utmost of ability"? Since this can vary considerably from person to person, under the wording of the code it would be as acceptable to answer questions if violence were only threatened as it would be to resist to the point of death.

While it does not address the issue of military secrets, perhaps what is needed is a clause along the lines of that proposed by Daniel V. Gallery, a writer and retired admiral, when the code was being debated in the mid-1950s. He suggested that future POWs be permitted to sign or say anything they like and that the world be told that this was to be allowed. Such a regulation, Adm. Gallery contended, would nullify the propaganda value of this kind of material.

Still another thorny issue is what to do with men accused by their comrades of informing on other prisoners, actively aiding the enemy, disobedience toward superior U.S. officers and worse. There can be no doubt that there were such transgressions and it may be that some of the accused will eventually be brought to trial.

Aside from official reluctance to subject to new ordeals men who have suffered much already, it is extremely difficult to prove legally that a prisoner caused a fellow to be killed or injured, or that he willingly aided his captors, as the Army and Navy departments indicated in clearing the seven accused by Col. Guy on the grounds that there was not enough evidence. Because of the nature of POW incarceration, a great deal of the "evidence" is hearsay or circumstantial. The North Vietnamese were believed to be adept at fomenting divisiveness by seeming to favor certain prisoners over others. And, finally, unless the proof were beyond a shadow of a doubt, a fair hearing would have to include testimony from the enemy guards and interrogators involved—a highly unlikely happening, to say the least.

"And suppose you actually convict a man of informing," commented a retired high-ranking officer who has taken part in unofficial Pentagon discussions about how to handle the issue,

"What do you do—send him to prison again?"

This former officer feels personally that the only POWs who should be brought to trial for their conduct during captivity would be those against whom there is strong evidence that they contributed to causing another's death. As for those guilty of lesser infractions against fellow prisoners, if there were any, others reason that it should be penalty enough to have to live out their lives knowing they are held in contempt by the majority, the brave men who endured with honor the horrors of communist prison camps.

**B**ecause it does not provide for penalties if violated, the Code of Conduct is really a moral guide to which the degree of adherence is in direct proportion to how seriously the soldier feels about things like duty, honor, country, his service, its uniform, his comrades and his own self-respect. This does not mean, of course, that a former POW has only his conscience to answer to if he violates the code; the UCMJ's Article 105 specifically provides that those who misconduct themselves as prisoners of war shall be punished. Other sections cover crimes like mutiny, aiding and misbehaving before the enemy.

Despite its lack of teeth, the code is a valuable document which gives the captured fighting man a set of principles to cling to in the demoralizing atmosphere of captivity. But even though it was adopted (by presidential executive order in August, 1955) as a result of the harsh conditions imposed on our prisoners in another war, it appears to have presupposed that the next foe would be civilized, not a barbarian which tortured, starved, poorly treated, used for propaganda purposes and finally held for ransom men taken in battle.

The issue should not be over whether the code should be done away with, as some critics have argued. However, it is clear that if it is to be a valid moral guide for future POWs, serious thought must be given to making its provisions less equivocal and more attainable. During a time when his feeling of personal worth is apt to be very low already, it does not seem that matters would be helped by the prisoner's realization that he cannot measure up to the code's ideals.

Although its action is understandable, by deciding not to take any exception to violations in the Vietnam war the Defense Department has made some kind of changes mandatory if the code is to be more than writing on a piece of paper. (JJB 11)