

EXH  
39



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THE JOINT CHIEFS OF STAFF  
WASHINGTON, D.C. 20301

*Handwritten signature*  
G

CM-2730-73  
4 JUN 1973

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS

Subject: U.S. Prisoners of War in Laos

DEANE  
#6  
6/8/92 ME

1. Reference is made to your memorandum, Op-00 00173-73, dated 18 May 1973, which discussed the U.S. PW/MIA situation in Laos and recommended that a CIA briefing on the subject be provided the JCS.

2. The following are the facts as they relate to CIA involvement in the current Laotian MIA situation.

a. CIA continues to conduct an active program to acquire intelligence relative to the status of U.S. MIA personnel. That Agency accords PW/MIA matters one of the highest priorities in its overall intelligence collection effort in SEAsia.

MT

CIA  
TO

JCS

E4h, 39-A

DJSM-895-7

EXH Doc 1  
39 P2

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c. The CIA maintains close working level contacts with the Joint Casualty Resolution Center (JCRC) in much the same manner as it did with the JCRC's predecessor, the MACV Joint Personnel Recovery Center (JPRC). However, in order not to jeopardize the status of the JCRC and its humanitarian mission, any proposed covert effort should be tied to existing intelligence collection activities.

3. Since the PW/MIA intelligence collection effort in Laos is limited to that described above, it is not believed that a briefing of the Joint Chiefs of Staff by the CIA is warranted at this time.

(Sgd) T. H. MOORER

T. H. MOORER  
Chairman  
Joint Chiefs of Staff

Copy to:  
CSA  
CSAF  
CMC

EXA1 Doc 2  
39

REPRODUCED AT THE NATIONAL ARCHIVES			CONTROL NUMBER
<b>REGISTER OF PERSONNEL HANDLING CLASSIFIED DOCUMENT</b>			1736
			DATE RECEIVED
RETURN TO OFFICE, CHAIRMAN, JCS ROOM 3E888, THE PENTAGON			31May73
DOCUMENT NUMBER		COPY NUMBER	CLASSIFICATION
DJSM-895-73			31May73
DATE OF DOCUMENT			
SUBJECT			
U.S. Prisoners of War in Laos			
THE ABOVE-DESCRIBED DOCUMENT HAS BEEN RECEIVED IN THIS OFFICE. CIRCULATION OF DOCUMENT WILL BE LIMITED TO INDIVIDUALS INDICATED BELOW. THE DOCUMENT WILL BE RETURNED ADMINISTRATIVE OFFICE FOR RECORD PRIOR TO DISPATCH TO ANOTHER OFFICE, OR OTHER DISPOSITION. THIS FORM WILL NOT BE REMOVED FROM SUBJECT DOCUMENT.			
TO	NAME	INITIAL	REMARKS
✓	CHAIRMAN, JCS	00	1 June 1973
3	EXECUTIVE	02	1. CNO indicated that CIA is pursuing a priority effort to determine what had happened to US POWs in Laos and suggested a brief. 2. The attached report by DIA states that no special program is being undertaken and that a CIA briefing is not in order. 3. A proposed memorandum to CNO to this effect has been prepared for your signature. 4. <u>Recommend signature.</u>
2	THE ASSISTANT TO THE CHAIRMAN	01	
1	CHAIRMAN'S STAFF GROUP AIR FORCE MBR	01B	
	CHAIRMAN'S STAFF GROUP NAVY MBR	01C	
	CHAIRMAN'S STAFF GROUP MARINE MBR	01D	
	CHAIRMAN'S STAFF GROUP ARMY MBR	01E	
	LEGAL ADVISOR AND LEGISLATIVE ASST	01F	
	ASSISTANT FOR PUBLIC AFFAIRS	01G	
	SPECIAL ASSISTANT	01H	
4	ADMINISTRATIVE ASSISTANT	01	
	ADMIN AIDE	03	
	AIR FORCE AIDE	03	
	MARINE AIDE	06	
	SOCIAL SECY	05A	

Very respectfully,

EV  
TRUE

Encl. 39-B

EX A1 Doc 3  
19 Pl 83

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TO: CJCS	CLASSIFICATION	FOR USE BY ORIGINATING DIRECTORATE DIA , 576/DI-6	
THRU: <b>WARREN D. COLLADAY</b> Major General, USAF Director, District Staff The Joint Staff		DJSM NO. <b>895-73</b>	ODJS SUSPENSE DATE
SUBJECT: U.S. Prisoners of War in Laos		DJSM DATE <b>31 May 73</b>	
		ACTION	
		APPROVAL	SIGNATURE
		INFORMATION	OTHER
		X	

REMARKS

1. Reference is made to:

a. A memorandum from the Chief of Naval Operations, OP-00 00017 73, dated 18 May 1973, which discussed the existing political impasse in Laotian negotiations relevant to a resolution of the status of U.S. MIA personnel, <sup>data</sup> It stated that the Chief of Naval Operations was informed that the Central Intelligence Agency (CIA) is pursuing a "highest priority effort" directed specifically determining what has happened to U.S. MIAs in Laos. It further recommended that the Joint Chiefs of Staff receive a briefing from the CIA on its effort in this area.

b. ODJS Routing Slip No. 2030, dated 21 May 1973, which directed that DIA collaborate with J-3 in preparing a reply to your query.

2. The following facts are pertinent to CIA involvement in the current Laotian MIA situation:

a. DIA and J-3 (DOCSA) discussions with CIA points of contact and records of DOCSA monitoring of Laos activities indicate that the CIA has had, and currently conducts, an active program to acquire intelligence relative to the status of U.S. MIA personnel. This program is among the highest priority PW/MIA intelligence objectives.

ACTION OFFICER	COORDINATION/APPROVAL					
	OFFICE	NAME	EXTENSION	OFFICE	NAME	EXTENSION
CAPT ADAMS, USN, DI-6 26230	CIA	Mr. Horgan	(148) 4055			
	J-3	LTC Schroeder	72650			
DATE OF PREPARATION						

39 P223

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- d. within the overall intelligence collection effort in SEAsia.
- It is carried out by the assets, and within the organizational structure, of the CIA station in Laos.

METHODS

d. Since the PW/MIA intelligence collection effort in Laos is limited to that described above, it is not believed that a briefing of the Joint Chiefs of Staff is warranted.

3. DIA is collaborating closely where appropriate with CIA in regard to the current situation in Laos. A summary of the present PW/MIA situation in Laos as held in DIA files is as follows:

a. At present there are approximately 350 U.S. military and civilians listed as missing in action in Laos. Of this total, approximately 215 were lost under such circumstances that the Patriotic Laotian Front (PLF) probably has information regarding their fate.

EXAT DOC3  
39 P323

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b. Previous PLF mention of U.S. PWs detained in Laos included a statement on 3 October 1967 by the Pathet Lao Radio that, between 17 May and 16 September 1967, the Pathet Lao had "captured about a dozen U.S. pilots." Furthermore, on 2 February 1971 PLF spokesman Soth Phetrasy commented that "quelques dizaines" ("some tens") of prisoners were being held by the Pathet Lao.

c. The Pathet Lao has made repeated claims of downing many U.S. aircraft. A 16 May 1973 broadcast reported that, from 17 May 1964 to 16 May 1973, 2,496 U.S. aircraft had been shot down over Laos. This would imply an enemy ability to account for some U.S. personnel involved.

## METHOD

e. All of the nine former U.S. PWs, whose names appeared on the "PLF List" of 1 February 1973, were in fact captured by NVA units operating in Laos along the Ho Chi Minh Trail and were moved to North Vietnam. Thus, the PLF has provided no accounting for U.S. personnel in its custody.

f. The cease-fire agreement, signed in Vientiane on 21 February 1973, provided for the exchange of prisoners. Article 5 of the Protocol states that all captured personnel, regardless of nationality, will be released and provides for an accounting of those personnel missing in action. The release of all PWs is scheduled to take effect within 60 days subsequent to the establishment of a Provisional National Union Government. According to the terms of the agreement, the Provisional Government was to have been implemented within 30 days of the signing of the cease-fire.

4. On the basis of the above discussion as it relates to the current CIA program of gathering intelligence on U.S. PWs/MIAs, this Agency recommends that a CIA briefing not be scheduled for the Joint Chiefs of Staff at this time.

5. All participating agencies concur in this recommendation.

Enclosure

JOHN R. DEANE, Jr.  
Lieutenant General, USA  
Acting Director



REPRODUCED AT THE NATIONAL ARCHIVES  
DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
WASHINGTON, D.C. 20350

IN REPLY REFER TO

Op-00:br  
Op-00 Memo 00  
18 May 1973

MEMORANDUM FOR THE CHAIRMAN, JOINT CHIEFS OF STAFF

Subj: US Prisoners of War In Laos

1. The continuing failure of the two Lao parties to agree on a Provisional Government of National Union, as provided for in the Laos Agreement, has obstructed further progress toward achievement of some USG post-ceasefire objectives in Laos. Although the ceasefire has been effective in reducing the level of armed hostilities, the inability of the Royal Lao Government (RLG) and the Lao Patriotic Front (LPF) to fashion an accommodation on the political level has effectively arrested any movement toward an environment in which the status of Americans missing in action in Laos can be resolved. Additionally, ongoing bilateral, semi-official contacts between USG officials in Laos and senior representatives of the LPF have not revealed any cause to believe that this particular channel will provide helpful information in this matter; the LPF has steadfastly disclaimed all knowledge of any American POWs other than those few already released.

2. In this unsatisfactory climate it appears clear that a successful, <sup>NT</sup> US unilateral effort is essential if we are to properly resolve the status of these missing American fighting men; we owe them no less. I am informed that the Central Intelligence Agency is pursuing a "highest priority effort" directed at specifically determining what has happened to US MIAs in Laos.

3. In view of the direct and personal interest the Services have in this matter, I recommend that the JCS receive a briefing from the CIA on their effort in this area so that we may be confident this important humanitarian issue is receiving appropriate attention.

Copy to:  
CSA  
CSAF  
CMC

E. R. ZULWALT, JR.  
Admiral, U.S. Navy