

body who came forth with sightings of POWs or other evidence which contradicted the official line.

On April 25, Eagleburger, who had prime responsibility with the DOD for POWs and MIAs, asked the secretary of defense to phase out the DOD POW-MIA task force.

On May 22, Clements issued a directive regarding personnel unaccounted for after "Operation Homecoming." Clements said that reclassification from MIA to KIA was fine, but that any reclassification from MIA to POW had to be personally cleared by him—although this was normally a function of the heads of the military services.

The lengths to which Kissinger would go to perpetuate the coverup is revealed in a transcript of a meeting between Kissinger and North Vietnamese officials Nguyen Thach and Le Duc Tho on May 23, 1973. Kissinger demanded that the North Vietnamese provide a written statement that "there are no U.S. prisoners being held in Laos," even though Kissinger knew this was not true. Le Duc Tho refused to provide such a statement.

Kissinger's secret negotiations

The issue of reconstruction aid, referred to in the Eagleburger-Secord memorandum, was a pivotal point on which Kissinger's duplicity and back-channel negotiations led to the betrayal of American POWs.

Early on in the Paris negotiations, the North Vietnamese established a "linkage" between the release of the POWs and U.S. economic assistance for the reconstruction of Vietnam.

On Feb. 1, 1973, a few days after the final signing of the Paris agreement, Kissinger personally delivered to the North Vietnamese prime minister a letter detailing the U.S. commitment to provide reconstruction aid. The letter pledged that the United States "will contribute to postwar reconstruction in North Vietnam without any political conditions." The letter further stated that the U.S. contribution to reconstruction aid "will fall in the range of \$3.25 billion of grant aid over five years," plus other forms of aid, including \$1-1.5 billion of food and commodity aid.

Incredibly, this letter and the commitments made in it, were not disclosed to Congress! Congress regarded any such payments as "reparations" and as an admission of guilt, and refused to authorize them—not knowing that Kissinger had promised such aid to the North Vietnamese.

Numerous accounts of the POW-MIA negotiations stress that Hanoi viewed a complete accounting of MIAs and the release of POWs as contingent on the payment of reconstruction aid. In effect, the POWs were being held as collateral for secret commitments made by Nixon and Kissinger, commitments of which Kissinger never even bothered to inform the United States Congress.

This feature was prepared with the assistance of H. Graham Lowry, Mary Jane Freeman, and Scott Thompson.

Documentation

'I prefer they not return prisoners'

These recently declassified government documents were obtained by EIR in "sanitized" or "redacted" form:

The White House

Sensitive—Exclusively Eyes Only

Memorandum of Conversation

Participants:

President Nguyen Van Thieu

Mr. Huynh Phu Duc, Special Assistant to the President for Foreign Affairs

Mr. Hoang Duc Nha, Presidential Press Assistant

Henry A. Kissinger, Assistant to the President for National Security Affairs

[redacted] United States Ambassador to the Republic of South Vietnam

[redacted] National Security Council Staff

Date & Time: Thursday, August 17, 1972, 4:35 p.m.-6:40 p.m.

Place: The President's Palace, Saigon

[redacted]

Dr. Kissinger: It is also in our interest. I thought at first it would be best to have a ceasefire as soon as possible because of our election. But upon reflection I have decided that it is easier if we keep up the bombing through the elections, unless in your view your military situation requires a ceasefire. You see, our strategy is that we are prepared to step up the military pressure on the DRV immediately, drastically and brutally one or two weeks after our election. We want to be in a position that they have rejected our reasonable proposals. After that we will put everything on the prisoner of war question. They think they can us[e] the prisoners of war to overthrow you. If we can move quickly after the elections, we can destroy so much that they will not be in a position to come back and harm you for a long time to come.

Mr. Duc: Are we clear that we are including agreement on supervision before a ceasefire?

Dr. Kissinger: Yes, but I don't think there will be a ceasefire. In fact I prefer that they don't return the prisoners

of war and that there is no ceasefire before the election. If Le Duc Tho returns on September 15 and proposes a ceasefire I will say in principle that I agree but that the details must be discussed at Avenue Kleber and then we can insist on international supervision before the ceasefire. Second, if their proposal with regard to the ceasefire does not involve a return of prisoners of war, then we will only stop the bombing and not remove the mines. We will not stop the mining until the prisoners of war are returned. Is that clear? It is important that in the next two months there be mutual confidence between us. We cannot control what others say and I do not know where Time Magazine got its story, but a certain amount of confusion may be desirable in any event. To sum up, we will insist that ceasefire modalities are discussed at Kleber and not separately between us and them.

[redacted]

President Thieu: How about the return of prisoners of war?

Dr. Kissinger: They may not return the prisoners, or perhaps they will return them when they are convinced we don't care any more. We will make one tremendous effort to get back the prisoners and in this effort I can assure you we will stop at very little. It is out of the question that we will make any additional concessions after the election.

President Thieu: They cannot accept and they will continue to fight but I still believe that after the election they will have to revise their policy. They will have to negotiate a temporary peace or continue protracted warfare. If they continue protracted warfare, we may have the prisoner of war issue if you exert pressure on them. Do you foresee any possibility that they will ask for a settlement which involves only prisoners of war? What kind of offer would you think they might make for a prisoner of war solution?

Dr. Kissinger: At some point we may have to accept the prisoners of war for an end of the bombing. But if so, it will be at a point where we have severely weakened them. At some point we may have to stop the bombing for this. Maybe in the second half of next year. But what they want is for us to also stop military and economic aid. If we agreed to stop such aid we could settle now, but we will not do this. We have to get to a point where you can continue to fight with a minimum of direct U.S. involvement, but with continued military and economic assistance. We can also try to influence their allies not to arm them in such a way that they are capable of repeating military activities on the scale of the past few months.

[redacted]

Dr. Kissinger: . . . They are in a real dilemma. If there is no ceasefire, their military situation deteriorates, and if they don't give back the prisoners, we keep bombing them. So long as they talk to me, this confirms negotiations. I know you think that a ceasefire might come soon. I have that impression. As of our last meeting on Monday, they have

totally rejected ceasefire. I have proposed every conceivable variation on May 8. There is no need to offer it any more; we have made a record. At the next meeting I would like to accept their proposal that there be no ceasefire until all is done.

[redacted]

We want to go to the absolute limit of what is and looks reasonable, but defend the principle that the U.S. will not end the war in which it lost 45,000 men by joining our enemy against our friend, or destroying a government allied with us for 400 prisoners of war, or even to win an election. We would rather not win the election on that basis. The history books will last longer than the election.

[redacted]

President Thieu: About the prisoners of war, you have nothing?

Dr. Kissinger: I think they are keeping the prisoners as blackmail. We will raise this issue brutally after November if they don't return them. They won't release them. They have made no proposal.

If they accept our May 8 proposal for ceasefire and prisoners, then we must withdraw. That is our official position, and we can't change that. But they won't accept it. There is no possibility. . . .

President Thieu: . . . What if they propose a ceasefire in North Vietnam for an exchange of prisoners? . . .

Dr. Kissinger: I will be honest. If they propose this during the election campaign, we will be in a very difficult position.

The Secretary of Defense

The following memorandum, dated March 28, 1973, sent from Secretary of Defense Elliot Richardson to Assistant to the President for National Security Affairs Henry Kissinger, was a shortened version of the Secord-Eagleburger memorandum of March 23, 1973.

Memorandum for the Assistant to the President for National Security Affairs

Subject: US POW/MIA Personnel in Laos

(U) I am concerned over the situation in Laos regarding our men who are still being held prisoner or missing. To date, there has been no accounting of US personnel missing in Laos other than the 1 February 1973 list of ten who were probably all captured in Laos by the North Vietnamese rather than the Pathet Lao.

(S) As you know, there are over 350 US personnel listed by DIA as missing or captured in Laos. The 1 February list of ten amounts to only a 2.5% accounting; whereas the North Vietnamese have accounted for 45% and the PRG has accounted for 20% of the people we have carried as missing or captured in their respective areas!

(TS) I recommend the President consider the following diplomatic track in order to gain some accounting of our men held/missing in Laos:

A. After the recovery of the last prisoners from NVN, Hanoi should be advised unequivocally that we still hold them responsible for the return of all POWs being held in Indochina. And in this regard, any further mine sweeping activity as well as all future US reconstruction assistance should be described as wholly dependent upon the accounting for and/or release of US prisoners being held in Laos. Once again, NVN should be clearly informed that an accounting for ten men out of a total of more than 350 is considered unacceptable.

B. In the meantime (about 28 March), a strong demarche should be made to the ranking LPF representative in Vientiane by the US Ambassador personally. This initiative should plainly and forcefully assert that the U.S. will no longer play games with the POW issue in Laos. The LPF should be told that we know they hold US prisoners, and we demand their immediate release as well as an accounting and information on all those who may have died. Finally, the LPF should be advised that failure to provide a satisfactory answer could result in direct United States actions.

C. Simultaneous with our representations to the LPF, the US Ambassador to Laos should also ask the USSR, PRC, NVN, French, British and ICC senior representatives to Vientiane to use their good offices with the LPF in order to avoid a serious situation.

D. Shortly after 28 March, assuming the LPF have not responded favorably, intensive and obvious tactical air reconnaissance of North and South Laos should commence. Additionally, the movement of a new carrier task force into the waters off Vietnam should be publicly announced.

E. Concomitant with the foregoing, the LPF and NVN should be privately advised that the Thai Volunteer Forces now in Laos will not be removed until there is a satisfactory resolution of the POW issue.

F. As an accompanying measure, Ambassador Godley should be instructed to "lean hard" on Souvanna Phouma and tell him to let the LPF know that political concessions in the new Provisional Government of National Union (especially as regards LPF appointments to cabinet posts) will be next to impossible without resolving the POW question.

The White House

Memorandum of Conversation

Participants:

Le Duc Tho, Representative of the Government of the DRV

Nguyen Co Thach, Vice-Minister of Foreign Affairs

Phan Hien, Ministry of Foreign Affairs

Col. Hoang Hoa

Nguyen Dinh Phuong, interpreter

three notetakers

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs

[redacted] Ambassador-Designate to RVN

[redacted] Department of State

[redacted] NSC Staff

[redacted] NSC Staff

[redacted] notetaker

Date and Time: Wednesday, May 23, 1973, 10:30 a.m. - 5:05 p.m.

Place: La Fontaine au blanc

St. Nom la Breteche

Kissinger: Our understanding is that we can apply Article 8 (b). We can claim that it applies to all of Indochina, because there is no geographic limit stated. You will not accept this publicly but you will not contradict this publicly either. And you will be helpful to us in this respect.

Le Duc Tho: We will do this say [sic] to help you in Laos.

Kissinger: Yes. Is this a correct understanding of what Ambassador Sullivan and Minister Thach have discussed?

Le Duc Tho: But in Laos. Minister Thach has told Ambassador Sullivan that we will help you to coordinate with our ally in Laos in getting information about the missing in action in Laos. As to those in Cambodia, we will wait until after the solution and we will deal with this question.

Kissinger: You don't understand the point I am making.

Le Duc Tho: Have I well understood you, that when you make a statement about this question for the whole of Indochina, we will not state it?

Kissinger: You will not contradict it.

Le Duc Tho: We will say nothing about it.

Kissinger: But without saying so, you will help us. We have an understanding on your honor that you will help us.

Le Duc Tho: We have to cooperate with our Lao friends. As to the statements you will make for the purpose of public opinion, we will say nothing.

Kissinger: Yes, but also for the purpose of reality. If you will help us. It will be helpful if you give us your assistance without making a public statement about it. You have often told me you could do things that are not written down.

Le Duc Tho: I agree. But I have to add that we have to cooperate with our Lao friends because it is their sovereignty.

Kissinger: I understand. Now we would still like a sentence from you which I don't understand why you can't give us—which says that "the DRV has been informed that there are no U.S. prisoners being held in Laos—that all the prisoners in Laos have been released." It would be very important for us.

Le Duc Tho: I have acknowledged to you that all of them have been released.

Kissinger: Then why can't you write it down?