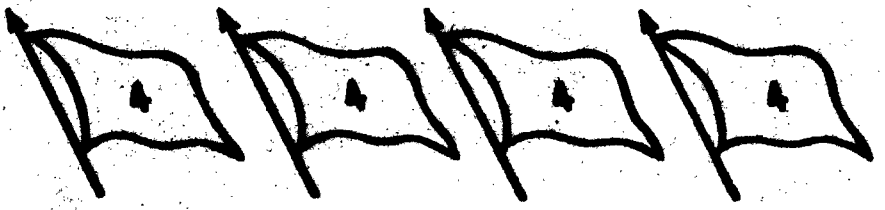

US DELEGATION

FOUR PARTY JOINT MILITARY TEAM

HISTORY

31 MARCH 1973 – 30 APRIL 1975

HISTORY OF THE UNITED STATES DELEGATION, FOUR PARTY JOINT MILITARY TEAM

31 MARCH 1973 - 30 APRIL 1975

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CHAPTER ONE - REVIEW OF 1973

BACKGROUND

On January 27, 1973, the Agreement on Ending the War and Restoring Peace in Vietnam was signed. Article 8(b) of the Agreement states:

> 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 such other measures as may be required to get information about those still considered missing in action.

To accomplish this task, the Four Party Joint Military Team was organized in Saigon with delegations from all four of the signatories to the Agreement (US, RVN, DRV and PRG). The mission of the Four Party Joint Military Team is solely to implement Article 8(b).

PERIOD OF "COOPERATION" (APRIL 1973 - MAY 1973)

The first session of the Four Party Joint Military Team was held on April 4, 1973. Based on the success of its predecessor organization--the Four Party Joint Military Commission, which had effected the release of American prisoners of war from the DRV and the PRG--it was anticipated that the work of accounting for the missing and dead could be rapidly accomplished.

During the initial sessions, the DRV gave assurances that its government intended to "scrupulously" implement Article 8(b). The DRV Delegation informed the US Delegation early in April 1973 that a campaign had been launched throughout North Vietnam to gain information about missing US personnel.

In the May 11, 1973 meeting, in response to a US request for a progress report, the North Vietnamese Delegation replied that they were compiling information and that the US would be notified of their findings "very soon."

An aura of cooperation was exemplified by the rapid agreement on working conditions--so-called Privileges and Immunities. On May 3, 1973, all four delegations agreed without reservation to accept the Privileges and Immunities previously adopted by the Four Party Joint Military Commission. It is now almost impossible--given the subsequent two years--to appreciate the feeling of friendly cooperation that marked this initial period.

MODALITIES ISSUE (JUNE 1973 - SEPTEMBER 1973)

On April 14, 1973, the Communist delegations introduced a draft Minute on the "modalities" to implement Article 8(b). The Communist draft Minute on "modalities," however, did not advance the effort required by Article 8(b) to account for the missing and dead. An example of the problems inherent in the Communist approach to "modalities" can be seen in

trying to reach agreement on the meaning of the word "repatriation." The US position was that graves should be exhumed solely for repatriation. The PRG position was that they should be exhumed for movement to cemeteries where appropriate memorials would be erected. The RVN saw this as a ploy related to PRG efforts to gain legitimacy, which would open up such gravesites to "visitors" and hence allow open infiltration into RVN territory. Political questions about the legitimacy of the PRG are outside the purview of Article 8(b). The US attempted to defuse this modalities issue by pointing out that since the US desired all its remains repatriated, and the DRV claimed that it had no dead in South Vietnam, the issue was one more properly for the Two Party Joint Military Commission (TPJMC)--the RVN and the PRG. No agreement could be reached on this point.

THE AGENDA ISSUE (OCTOBER 1973 - APRIL 1974)

At this point there was a switch from the modalities issue to the question of agenda. The DRV and PRG repeatedly linked Article 8(b) to the totality of the Paris Agreement. As was pointed out earlier, the FPJMT was organized solely to implement Article 8(b). Notwithstanding this fact, the Communists used other subjects to avoid agreeing on an agenda.

Earlier, in April 1973, the delegates to the Four Party Joint Military Team were briefed by the Joint Casualty Resolution Center (JCRC) based in Thailand. In May, the US Delegation

tabled a program for crash site investigations--a program that was turned down by the DRV/PRG.

Although the DRV/PRG interpret the phrase "help each other" in Article 8(b) as requiring unanimity, the position of the US Delegation has been that "help each other" means precisely what it says--that any combination of the parties can help each other to solve the problem of the missing and dead. Consequently, the JCRC began the crash site investigations, furnishing a memo to all parties in advance.

In late June 1973, a memo concerning an aerial reconnaissance in coordination with crash site investigation was transmitted to all delegations. The PRG Delegation telephoned that this was a "contested area" and, therefore, might not be safe. The precedent was thus set for notification of unsafe areas.

GIA DINH AMBUSH

In early December 1973, all delegations were notified of a crash site investigation in Gia Dinh Province. On December 15, Communist forces ambushed three clearly marked, unarmed, TPJMC helicopters engaged in this investigation resulting in the death of one American and one Vietnamese and the wounding of several Americans and Vietnamese. After a strong protest by the US Delegation, the US/RVN Delegations walked out of the session.

The ambush caused a US re-evaluation of JCRC procedures--procedures which from April through December had resulted in 25 crash site and ground site investigations involving 23 Missing in Action

(MIA and 15 Killed in Action (KIA) Body Not Recovered (BNR) personnel. In the future, crash sites outside of secure areas would be investigated by RVN personnel, with evacuation of remains to a safe place for later examination by the JCRC.

LIAISON FLIGHT CANCELLATION

The year 1973 ended with disagreement about the Saigon-Hanoi liaison flight. The June Communiques on the Paris Agreement called for a weekly Saigon-Hanoi liaison flight to assist in getting information concerning the missing and dead. Since the two Vietnamese governments could not agree on procedures, the US Government provided a weekly C-130 flight to Hanoi on a temporary basis. Since the flight was considered a temporary expedient, no firm procedures were established and situations were dealt with as they arose.

On December 21, 1973, the flight missed the approach to the Gia Lam runway in Hanoi and circled over the city. This resulted in an official protest from the DRV and US cancellation of the flight until adequate procedures could be worked out.

CHAPTER TWO

SIGNIFICANT EVENTS OF 1974-75 UNTIL WITHDRAWAL

RESUMPTION OF LIAISON FLIGHT

The DRV boycotted several negotiations sessions in January of 1974 due to the US cancellation of Saigon-Hanoi liaison flight. In the long term the cancellation was advantageous since flight procedures were established to cover normal flight contingencies. When the flights were resumed in January 1974 a total of 62 flights were flown including the last mission on 25 April 1975. The following chart represents a history of the flight during the January 1974 to April 1975 time frame:

SAIGON-HANOI FLIGHT

	Req'd	Compl'd	Canx	Pax to Hanoi	Pax to Saigon	Cargo
1st Qtr 74	15	8	7	156	168	28,150
2nd Qtr 74	14	13	1	210	206	52,700
3rd Qtr 74	13	13	0	208	204	42,300
4th Qtr 74	14	13	1	183	186	35,850
1st Qtr 75	13	13	0	181	174	30,450
2nd Qtr 75	4	2	2	28	25	5,250
	73	62	11	966	963	194,700 lbs

RETURN OF DICs

With the settlement of the Saigon-Hanoi liaison flight, it appeared that progress might be made in accounting for the missing and dead. In May 1973 members of the US Delegation had visited the graves of 24 US servicemen and one Thai located in two cemeteries near Hanoi. On February 10, 1974--

nine months later--the DRV Delegation requested a private meeting to discuss their repatriation.

It soon became evident that the DRV was attempting to link this repatriation to the exchange of civilian detainees and was trying to put the US Government in the position of guaranteeing RVN cooperation. Although the US Delegation did not make any such commitment, the timing was such that it appeared that there was a linkage between the return of those who died in captivity and the exchange of civilian detainees.

In March 1974, 23 US remains were repatriated from the DRV. Although Hanoi billed the event as proof of North Vietnam's goodwill and intentions, this is open to some question, since the DRV would not repatriate the 24th body on the technicality that he had died in his airplane crash rather than in captivity, and, therefore, was not eligible for repatriation.

Later that month it appeared that the PRG were about to follow suit and repatriate the 47 bodies that they acknowledged having under their control. This hope evaporated, however, in the wrangle over Privileges and Immunities which began after an RVN crew member was killed by PRG ground fire during a prisoner exchange.

PRIVILEGES AND IMMUNITIES ISSUE AND THE BOYCOTT (APR 74-OCT 74)

At the beginning of the FPJMT, the delegations agreed to a set of Privileges and Immunities. In addition to these agreed-upon Privileges and Immunities, which were equivalent to those accorded diplomatic missions and diplomatic agents, the RVN--unilaterally--also granted additional privileges, including a weekly press conference for the PRG and open use of the common-use telephone system in Saigon.

One of the privileges was a liaison flight between Saigon and Loc Ninh, the administrative "capital" of the PRG. Because of the death of an RVN air crew member and subsequent PRG refusal to guarantee safety, the RVN suspended the Saigon-Loc Ninh liaison flight and withdrew the additional privileges they had granted, namely, DRV/PRG use of open common-user telephone lines and the PRG weekly press conference. During April and May the DRV/PRG paralyzed the sessions because of this situation.

In June as a gesture of goodwill, the RVN notified the DRV/PRG that it would restore Privileges and Immunities, including those it had unilaterally added to the agreed set, as they had existed prior to the incident. Not satisfied with this, the PRG introduced a draft Minute of Agreement on June 18, which, if agreed to, would amount to recognition of the PRG as a separate government. They insisted that their demands be discussed at the FPJMT plenary sessions notwithstanding the fact that the original Privileges and Immunities had been worked out at a subcommittee

level of the Four Party Joint Military Commission. The US/RVN proposed that the Privileges and Immunities question--a procedural matter--be discussed at the Deputy or Secretary level in accordance with the precedent set earlier so that the FPJMT sessions could get on with the only job for which the organization had been established--to negotiate issues of substance.

The DRV/PRG refused and began their boycott on June 20, 1974--a boycott which continues to the present time.

While the Communists have publicly insisted that their boycott is because of the Privileges and Immunities issue, private PRG correspondence to Viet Cong cadre proves otherwise. A PRG document captured in August 1974 revealed that the PRG had:

> decided to cancel all FPJMT sessions effective May 30, 1974. Furthermore, (the PRG had) released a series of Communiques condemning the US for continuing military aid to Thieu's belligerent clique... (Viet Cong cadre were further instructed to) indoctrinate subordinate personnel and the people on this circular and increase their (military) activities to support effectively our diplomatic offensive.

This document made clear that the Privileges and Immunities issue--like the modalities and agenda issues that preceded it--was a device used to frustrate the implementation of the humanitarian principles of Article 8(b).

THE OPERATING POSITION (OCTOBER 1974-APRIL 1975)

In clear abuse of the "Privileges and Immunities equivalent to those accorded diplomatic missions and diplomatic agents" (Article 16b, Protocol on the Ceasefire), the PRG from October 12,

1974, used the press conference in Saigon to call for the overthrow of the constitutionally elected President and Government of Vietnam. This action was a violation of diplomatic protocol, which was hard to imagine would be tolerated by any other host government and in a normal diplomatic context would constitute ample basis for breaking relations.

The DRV/PRG had thus returned full circle to their position in late 1972 before signing the Paris Agreement, calling for the overthrow of President Thieu, the end of all US aid and assistance to the RVN, and the establishment of a government that would surrender to their demands. In contrast to this, the Government of South Vietnam stated a willingness to resume discussions immediately, without any prior condition.

Since the beginning, the principal sticking point was disagreement over the basic purposes of the FPJMT even though Article 8(b) clearly specifies certain obligations and responsibilities with respect to MIAs and the handling of remains. The US and RVN saw the FPJMT as a humanitarian organization designed solely to account for the missing and dead.

The Geneva Conventions of 1949 call for exchange of information on dead and missing even <u>during</u> a conflict. The Judge Advocate General of the Army, Major General George S. Prugh, stated on July 23, 1974:

> ...The Geneva Conventions...apply to all combatants and victims under the law without adverse distinction or discrimination...no distinction is made between the purpose for which the war is fought, which party may be at fault, or between aggressor and those exercising the right of self defense. This apparent blindness is based on the very practical recognition that, while any armed conflict is in progress, both sides considered their God and Justice to be on their side. Only unrestrained savagery would result if the benefits and protection were limited to the one regarded as 'just' or the 'good guy.' Under Geneva law, combatants and victims of war on both sides are, and should be, in truth, we believe must be, 'equal under the law' or the law will soon cease to be even the fragile shield it presently is.

This point was reinforced by the International Conference of the Red Cross at Teheran on November 14, 1973, calling on parties to armed conflicts to accomplish the humanitarian task of accounting for the missing and dead.

It was further reinforced by the Resolution of the 29th General Assembly of the United Nations in November 1974, which stated in part that "Provision of information on those who are missing or who have died in armed conflicts should not be delayed merely because other issues remain pending." (Emphasis added)

The US Government's position was summarized by President Gerald R. Ford on September 18, 1974 when he stated:

> The Communist side has refused to permit search in areas under their control for crash sites, graves and other information on the MIAs. We are prepared to carry out such searches by unarmed American teams. We stand ready now, as we have in the past, to discuss arrangements for the conduct of such searches by teams from neutral countries, the International Red Cross, other humanitarian organizations or by local authority. The important thing is that we get on with this job now. The families of our men have waited too long already for this information,

> and I am sure that their families have a similar desire to know the fate of their loved ones. Surely there should be no political or military controversy about this humanitarian problem, and I call for renewed efforts to resolve it.

The US and RVN Delegations attempted to hold sessions of the FPJMT twice a week since the Communist boycott began in June 1974. The US Delegation still maintained correspondence with the Communist delegations, for example, President Ford's appeal in September 1974 and the United Nations' Resolution in November 1974 were passed to them. Contacts also continued informally, principally during the weekly Saigon-Hanoi liaison flight which the US Government continued to provide. The US Delegation assisted in scheduling meetings between the Communist delegations and concerned US citizen groups, including a group of concerned youth and a group of MIA relatives.

RVN COOPERATION

In marked contrast to the posture of the Communist delegations, the RVN Delegation gave its fullest cooperation to resolving the problems of missing and dead. They assisted in the search and exhumation of 19 positively identified US servicemen and recovered another 20 remains. They have assisted in 12 air crash recovery operations. The RVN Delegation firmely announced its policy in regard to Article 8(b). This policy is based on the three principles of legality, sense of responsibility and humanitarianism:

On the principle of legality, RVN always respects and pledges to implement Article 8(b) of the Paris Agreement and Articles 8(d) and (e) of the Joint Communique, RVN never accepts linking Article 8(b) with the other provisions or imposing conditions of a sine qua non nature.

On the principle of sense of responsibility, RVN constantly affirms its sacred responsibility not only toward RVN and US allied comrades in arms who, so that South Vietnam can remain free and independent, were either killed or missing in action, but also toward all the personnel of the concerned parties (i.e., DRV and PRG) who have been killed or missing in action in RVN territory.

On the principle of humanitarianism, with regard to the dead people, RVN does not discriminate friend nor foe, even though while they were alive, they fought in the hostile ranks. RVN considers that 'death is the final act,' therefore, regarding those who are dead, it is only one act, humanitarian act. This humanitarianism is embodied in the following tasks: burial, care of graves, and return of remains when so requested by the other side.

US AND RVN REMAINED READY

The US Delegation remained ready to resume negotiations for accounting for the missing and dead up until its final withdrawal to Camp Samae San, Thailand. The US and RVN delegations continued to attend the scheduled weekly sessions and repeatedly invited the Communist delegations to return to the negotiating table. The US continued to provide a weekly Saigon-Hanoi liaison flight even though the substantial purpose of this flight--exchange of information on missing and dead--had not been met. The US continued to provide vehicular support to the DRV/PRG. The RVN continued to supply billets, electricity, water and other supplies to the DRV/PRG. Privileges and

Immunities as agreed upon by the four parties continued to be extended to the Communist delegations. The DRV/PRG were provided communications with other delegations, with the ICCS, and through the Saigon public telephone circuits. The RVN even continued to allow a weekly press conference for the PRG, even though it has frequently been used to call for the overthrow of the RVN Government.

If the DRV and PRG had adopted a cooperative approach similar to that of the RVN Government, the problem of accounting for the missing and dead would have long since been resolved.

CHAPTER THREE

SPECIAL VISITING GROUPS

During the last ten months of operation in Saigon, the US Del was frequently called upon to brief special groups on the progress of the MIA problem. Among these groups were the Youth Concerned for the 1300 MIAs, MIA/KIA Family Relatives, and Members of the United States Congress.

YOUTH CONCERNED FOR THE 1300 MIAs

A group of 15 American citizens, mostly high school age, representing "Youth Concerned for the 1300 MIAs" visited Saigon from 17 to 20 July 1974. The group had meetings with the US, RVN, and PRG Delegations to the FPJMT. The DRV declined an offer for a visit. The highly intelligent and well-disciplined group seemed favorably impressed by US Del and RVN Del's actions concerning the MIA problem. During their exit press conference in Saigon, the group voiced its criticisms of the DRV/PRG for their obstruction of progress on resolving the fate of the dead and missing.

MIA/KIA RELATIVES

The MIA/KIA family relatives group visited Saigon during the week of 29 September 1974. Meetings were held with AMEMB, JCRC and all delegations of the FPJMT. The members of this group were searching for information concerning their MIA

relatives. DRV/PRG attempts to convince the group that the US and RVN were guilty of obstructing resolution of the MIA cases backfired. The group departed Saigon with the unanimous belief that both the DRV and PRG were the culprits in the breakdown of the MIA talks.

US CONGRESSIONAL DELEGATION VISIT

A US Congressional envoy visited Saigon during the week of 27 February-3 March 1975. A list of the participants and a summary of the main events that occurred during this visit are provided both for interests and historical value. Of main interests were the interviews between key congressional members and LTC Bao of the DRV Delegation and MG Tuan, Chief, PRG Delegation, Two-Party Joint Military Commission.

PARTICIPANTS*

Senator Dewey Bartlett (R) Oklahoma
Rep John Flynt (D) Georgia
Rep Donald M. Fraser (D) Minnesota
Rep Bella Abzug (D) New York
Rep William Chappell (D) Florida
Rep Millicent Fenwick (R) New Jersey
Rep Paul McCloskey (R) California
Mr Robert Boettcher, Staff, House Foreign Affairs Committee
Mr David Russell, Staff, Senator Bartlett
Mr Stephen Bryen, Staff, Senator Case
Mr John Sullivan, Staff, House Foreign Affairs Committee
Major Jaime Sabater, US Delegation, Four Party Joint Military Team
Captain Stuart Herrington, US Delegation, Four Party Joint Military Team

*Note: Rep John P. Murtha, Jr. (D) Penn, refused to attend the DRV/PRG meetings for "reasons of personal conviction."

INITIAL BRIEFINGS

At 0800 hours, 2 March 1975, the visiting delegates attended a breakfast/briefing at the Defense Attache Office Commissioned Officers' Mess. (All attended except Reps Abzug, Fenwick, and Fraser, who had other commitments.) Following breakfast, the party was briefed by LTC Summers, Chief, Negotiations Division, US Delegation, Four Party Joint Military Team; and COL Vollmer, Commanding Officer, Joint Casualty Resolution Center. Purpose of the briefings was to orient the group on the current status of negotiations on the MIA issue and on casualty resolution efforts, in preparation for their meeting with the two Communist delegations. LTC Summers explained the continual Communist efforts to stall MIA resolution in hopes of forcing the USG into political concessions. He pointed out to the visitors that the Geneva Convention, the International Red Cross, and most recently, the UN General Assembly, have all affirmed that belligerents are obliged to exchange information on the dead and missing, even during conflicts, and in spite of the existence of other unresolved issues. DRV/PRG insistence that progress on the MIA issue cannot begin until the entire Paris Agreement is "strictly implemented" thus ignores the imperatives which have been adopted by civilized nations. LTC Summers also invited the visitors to "judge for themselves" whether or not the DRV/PRG claim of restricted diplomatic privileges and immunities is valid during their impending visit to Camp Davis.

COL Vollmer explained that casualty resolution operations are currently conducted by the RVN, with JCRC guidance and support. (This method was adopted by the JCRC after the December 1973 ambush of an unarmed US search team.) Emphasis was placed on the excellent assistance being rendered by the RVN in recovering the remains of US servicemen. The visitors were also informed of the refusal of both the DRV and PRG to allow any search for remains in their territory.

DRV INTERVIEW

At 1000 hours, the group arrived at Camp Davis, Tan Son Nhut, for its scheduled appointment with the DRV Delegation, Four Party Joint Military Team. They were received by LTC Bao, Deputy Chief, and CPT To. The DRV had invited the Saigon press corps, and the visitors were immediately surrounded by a crowd of approximately 75 members of the press, including reporters, camera crews, and sound teams. Prior to entering the conference site, Rep Flynt (the Chairman of the Delegation) expressed his concern to LTC Bao that the presence of such a large press delegation would make a meaningful dialogue difficult. This comment was ignored by LTC Bao, who invited the delegation to enter the conference site and be seated.

The conference room was large, with a 10-meter long table in the center. LTC Bao seated himself at one end, in front of a

marble bust of Ho Chi Minh. The visitors were invited to sit at the far end of the table (as far away from LTC Bao as possible, apparently in deference to the press, who were thus able to press into the "no man's land" in between). No attempt was made by the DRV to restrain the press representatives, who created continuous distractions by their presence. At times, the grinding of cameras, the shouted instructions, and the sheer number of bodies pushing and shoving made communication in the room difficult. It was clear that the DRV had decided to use the "drawing card" of US legislators to set the stage for a propaganda extravaganza.

LTC Bao opened the meeting with the procedural suggestion that the American visitors first ask all their questions. Rather than answer the questions individually, he explained, he would wait until all questions had been posed, and then reply. Senator Bartlett and Rep Flynt recognized this as a ploy to give LTC Bao the floor last and enable him to evade specific answers. They, therefore, made a counterproposal that LTC Bao answer each question when posed. LTC Bao again proposed that the visitors should speak first--but this was again rejected by Senator Bartlett and Rep Flynt. LTC Bao (faced with an abrupt end to the show before the curtain rose) compromised. He invited Rep Flynt to ask a question, promising to "answer the question with an answer which would take twenty minutes." After that, Bao proposed, the other US visitors could pose their questions. This proposal was agreed upon, and Rep Flynt initiated

the exchange by requesting LTC Bao to explain when the DRV planned to implement Article 8(b) and turn over information on US MIA personnel.

LTC Bao replied by reading a twenty-minute prepared statement condemning the US for its "illegal intervention" in Vietnamese internal affairs. He assailed the Ford Administration as responsible for perpetuating the war and conditions which make implementation of the Paris Agreement, including Article 8(b), impossible.

Congressman Flynt immediately remarked that LTC Bao's statement bore no relation to his specific question. "In fact," he noted, "your remarks were clearly read from a prepared statement, which your interpreter then reread from his script. I am certain that if I had asked you about the weather in Hanoi, your answer would have been the same."

Senator Bartlett then removed an MIA bracelet from his wrist. He passed the bracelet down the table to LTC Bao, explaining that the person whose name appeared on the bracelet, CPT Clifford Wayne Fieszel (SSN: 462-56-6781; MIA 30 Sep 68), was missing in action after being shot down over North Vietnam. Senator Bartlett asked LTC Bao to examine the bracelet and record CPT Fieszel's name, rank, and service number. He then reminded LTC Bao that a resolution of the UN General Assembly of

November 1974 clearly made it obligatory for the DRV to immediately resolve CPT Fieszel's fate, and declared that the excuses contained in LTC Bao's statement were invalid. Senator Bartlett noted that, "In fact, in Oklahoma where I come from, they have a word for your remarks, and that word is 'hogwash'." He then asked LTC Bao to explain what the DRV intended to do about CPT Fieszel's case, explaining that he needed an answer to convey to the Captain's wife.

Rep Fenwick then referred to LTC Bao's statement in which he had stated that the DRV Government always had the intention to settle outstanding problems with the US by negotiations, including the question of the non-implementation of Articles 8(b), 11, 14, and 21 of the Paris Agreement. Rep Fenwick asked LTC Bao to please tell her what steps the DRV had taken to reopen negotiations, and, if so, when had these steps been taken. If no such overtures had been made, Rep Fenwick requested LTC Bao to explain why, and also to comment on when the DRV planned to do so.

LTC Bao attempted to launch into a second, hastily prepared statement, which again did not address the questions which had been raised. He was interrupted by Senator Bartlett.

"Excuse me, but your remarks have nothing to do with our specific questions. What about CPT Fieszel? What do I tell his wife? Do I tell her you will help or not? Or do I tell her

that you have refused to answer? (Silence at DRV end of table) All right, I take it that your silence means that you want me to tell her that you have refused to answer. I will do just that!"

LTC Bao ended his silence and informed Senator Bartlett that "we will pass your request to our government. Should we receive any information, we will pass it on to the US Delegation, Four Party Joint Military Team." (NOTE: In October 1974, when a group of six MIA relatives visited the DRV/PRG Delegations and pressed hard for information on their specific cases, this same commitment was made by the Communists. To date, no information has been received on these cases. In the presence of the press, LTC Bao was forced by Senator Bartlett to make the commitment. It is doubtful that any results will follow. Senator Bartlett later requested the US Delegation follow up this matter by submitting a written request for information on CPT Fieszel.)

Rep Fenwick tried repeatedly to call attention to the fact that "He hasn't answered my question. What about my question?" She was unable to get the floor.

Rep McCloskey then informed LTC Bao that it is true (as pointed out by Bao in his statements) that there is some support in the US Congress for discontinuing US aid to South Vietnam.

On the other hand, Rep McCloskey observed, the DRV should be aware that if it continues to obstruct the search for US MIA personnel by not permitting search teams in their territory, this refusal will influence the US Congress.

LTC Bao did not directly address Rep McCloskey's remarks, but did point out much later that "The search for US MIAs in the DRV can only be done by the people of the DRV--never by any outside organization."

Rep Fraser followed up with a conciliatory observation. He expressed this belief that the dialogue established during the meeting was useful, and voiced his hope for a speedy return to normal relations between the US and the DRV.

LTC Bao replied by urging all the visitors to return to the US and "encourage the American people and Congress to reject the Ford Administration's policy of perpetuating the war by supporting the Thieu clique. Only by changing the Ford Administration's policy can our two countries return to normal relations."

Rep Chappell then delivered a forceful, angry presentation, which lasted approximately five minutes. Mr Chappell explained that "I came to Vietnam with the spirit of objectivity, in an attempt to learn about the true situation here so that I can vote correctly on the important issue of aid to South Vietnam.

As I said, I came here with an open mind and have tried to be objective. But, now that I have had the opportunity to meet here with you and hear your side of the story, I have come to some conclusions. I don't think in the first instance that your government ever had any intention to abide by the cease-fire. Nor do I think that you ever intended to honor your obligation to exchange information on MIA personnel. For over two years now, the US has flown your delegates to Hanoi every week at a cost of over $600,000 a year, so that you can collect information from your government on our MIA personnel. Up to now, you have not given us information on even one MIA case. You complain about violations of your diplomatic privileges and immunities here in Saigon--saying that your water and electricity is always shut off--yet I see you living very comfortably here (points to overhead fans, attractive, clean, landscaped surroundings). Furthermore, all this is at the expense of the US and RVN Governments. You have not paid a single penny for all this since the cease-fire. You claim to be humanitarian, yet in December 1973, your military forces ambushed an unarmed US search team, killing two (sic) US officers in cold blood. As for myself, what I have learned here has helped me to make up my mind. When I return to the United States, I intend to vote for the 300 million dollar supplemental aid to the Republic of Vietnam."
(NOTE: DRV interpreter accurately rendered Rep Chappel's statement, but did not interpret the final sentence. Its impact, however, was immediately recognized by the press--nearly all of whom spoke English.)

Rep Abzug, who remained silent for almost the entire session, made only one statement, which filled the silence following Rep Chappell's outburst. Rep Abzug stated that "The repatriation of the remains of the 23 US servicemen who died in DRV captivity, along with LTC Bao's consent to query the DRV Government on CPT Fieszel's case, shows that the spirit exists to take steps to alleviate the grief of America's MIA families." Rep Abzug proposed that the DRV agree to receive more specific requests from the US Delegation, FPJMT, query its records, and press information to the US Delegation, FPJMT. She concluded by stating that "This would be an enormous step towards building goodwill and establishing normal relations between the US and the DRV."

LTC Bao replied "We are always ready to receive information and will report it to our government." (NOTE: From August 1973 to February 1975, the US Delegation has passed 82 folders dealing with 107 specific MIA cases to the DRV and PRG. To date, both Communist parties have never replied to these queries. The visiting Congressmen and Congresswomen were informed of this program during the early morning briefing--which Rep Abzug had elected not to attend.)

LTC Bao then adjourned the meeting (which had lasted 1-1/2 hours), expressing his wish that the visitors enjoy good health and a safe return home.

PRG INTERVIEW

The group was received outside the DRV conference site by a PRG escort and led to the PRG conference site--some 20 meters down the street. There, they were received not by LTC Son, as expected (LTC Son, Chief, PRG Delegation, Four Party Joint Military Team), but by MG Hoang Anh Tuan, Chief, PRG Delegation, Two Party Joint Military Commission. In fact, LTC Son did not attend the session. The press was again allowed unrestricted access to the meeting.

MG Tuan opened the session (at 1145 hours) by introducing himself and observed that the meeting was getting under way late. He asked Rep Flynt, "Do you want to meet for one hour? If not, how long?"

Senator Bartlett and Rep Flynt jointly agreed that a 30-minute meeting would be sufficient. (NOTE: By this time, Senator Bartlett, Reps Flynt, Chappell, and Fenwick were clearly not ready for another marathon exercise in head butting such as had transpired with the DRV.) Reps Frazier, Abzug, and McCloskey were careful to preserve a neutral, non-committal exterior throughout the proceedings. Senator Bartlett stated privately that he did not intend to let the PRG get away with manipulating the available time as the DRV had tried to do.

As MG Tuan prepared to open the proceedings, Senator Bartlett quickly took the floor and stated that he had a question. MG

Tuan, taken by surprise, nodded assent only after Senator Bartlett launched into his question.

Senator Bartlett then called attention to the fact that the UN General Assembly Resolution of November 1974 requires belligerents to continuously take steps to exchange information on the missing and dead, even during a conflict. He asked MG Tuan to explain why, in view of this, the PRG had not taken a single step to implement Article 8(b).

MG Tuan ignored the question and began to deliver his prepared statement. After several minutes, during which he contended that the US must accept responsibility for the failure of the Paris Agreement and the lack of progress on MIA resolution, MG Tuan was again interrupted by Senator Bartlett.

Senator Bartlett (who had decided he would not permit MG Tuan to read to the delegation in the short time available) again deliberately usurped the chairmanship of the meeting. He thanked MG Tuan for his comments and gave the floor to Rep Flynt. Tuan, taken aback, and conscious of the press, said nothing at this clear breach of etiquette.

Rep Flynt began by informing MG Tuan that he had two questions and wanted specific answers. Rep Flynt continued, "If, as you say, you are interested in seriously implementing the Paris Agreement, then why has your government refused to repatriate the bodies of 41 US servicemen whose names were on the list which your government passed to the US Government in Paris

when the Paris Agreement was signed? These men died while prisoners of war in PRG prisoner-of-war camps."

MG Tuan replied "I was explaining this systematically by showing the overall problem of the Paris Agreement and the continued intervention of your government, but regretfully, I was interrupted. Allow me to continue, since we only have five minutes of time remaining. The real problem is the US continuation of the war...."

Rep Flynt (interrupting): "No, I want to know why you haven't returned the 41 bodies. Where are they?"

MG Tuan (continuing): "After the signing of the Paris Agreement, the United States illegally continued to perpetuate the war, making it impossible for the treaty to be implemented while hundreds and thousands of Vietnamese are miserable and dying each week...."

Rep Flynt (again interrupting): "I'm sorry, but I don't want to hear this. I want to know where the 41 bodies are. Where are the 41 bodies?"

MG Tuan (visibly shaken): "I thought you came to exchange views, to try and understand more clearly the situation in Vietnam. I will not be forced to answer such a question, and I believe the American people will understand. (Looks at watch. It is 1200 hours, 15 minutes since the agreed 30-minute

session began.) I see the time is up." (walks out)

Senator Bartlett: "Good!"

INTERVIEW OBSERVATIONS

The DRV/PRG were confident that the meetings with the Congressional Delegation provided a unique opportunity for a successful public relations coup. No doubt the presence of outspoken critics of the Administration's Indochina policy in the visiting delegation encouraged the Communists to invite the press to the meetings, in the hope that the deep split over Vietnam in US public opinion might surface among the visitors during the meetings. (NOTE: The DRV/PRG have not allowed the press to cover such meetings in the past. Congressman G. V. Montgomery was granted interviews--no press--and in October 1974, six MIA relatives were received--again no press.) Apparently, the DRV/PRG could not resist the temptation to use the "draw" of a delegation of US lawmakers to set up a show which would reach the largest audience since the cease-fire.

It was clear from the beginning that both the DRV and PRG intended to tightly control the proceedings, employing the procedural method of having the floor last and holding it until time expired--thus neatly avoiding a real dialogue on substantive issues. It was equally clear that they failed to accomplish this objective.

The DRV/PRG plan backfired for several reasons:

(1) They invited the press. The presence of the press (many of whom were Vietnamese nationals fluent in English) forced the DRV and PRG interpreters to completely and accurately render the statements of the visitors into Vietnamese, thus providing a two-way debate, as opposed to the one-sided lecturing characteristic of the Saturday morning TPJMC press conferences. Furthermore, by exposing the Congressional delegates to a public forum, the DRV/PRG forced each Congressman to consider all remarks "on the record." Thus, any views on the MIA issue voiced by the Congressmen were intended for the consumption of their constituents as well as the DRV/PRG.

(2) They mistakenly concluded that they could control the meetings, largely because they underestimated the independent nature of US Congressmen. The members of the delegation quickly saw through the DRV/PRG intentions and reacted. They were not content to come halfway across the globe to be "lectured at" by the DRV/PRG. The public forum created by the Communists for their own purposes could be used by both sides--which it was.

(3) They misunderstood the volatility of the MIA issue in the US. If they thought Rep Abzug's contacts with the Third Force meant that she was willing to speak out against Administration policy during a conference on the MIA issue, they were sadly mistaken. (As the preceding report shows, Rep Abzug was cautiously subdued during both meetings.) Both DRV and PRG representatives were taken aback by the vitriolic

reactions of the Congressional representatives as the meetings progressed. The DRV/PRG seem to be incapable of understanding that while it is politically possible for a Congressman to be a "Dove" on the issue of US aid to Vietnam, a "soft" stand on the MIA issue is political suicide. Even Rep Abzug commented during her stay that her office was "besieged" with requests for action on the MIA issue.

The premature, unilateral walkout from the PRG meeting by MG Tuan was an obvious reaction to Rep Flynt's aggressive pursuit of a simple answer to a simple question. This fact was as clear to the members of the press as it was to the US visitors. (MG Tuan agreed to talk for 30 minutes. Fifteen minutes later, he walked out, claiming weakly that "time is up").

CHAPTER FOUR

THE WITHDRAWAL

BACKGROUND

The month of March was marked by the rapid deterioration of the military situation in RVN. After the fall of Ban Me Thuot early in the month, the precipitous ARVN withdrawal from the Central Highlands beginning on 16 March and the fall of Hue and Danang on 26 March and 29 March, respectively, it became evident that the RVN's continued existence was tenuous. To assess these events, the President ordered GEN Weyand, Army Chief of Staff, to Vietnam to conduct an on-the-spot investigation. LTC Summers, Chief of the Negotiations Division, and his secretary, Mrs Barbara Kavulia, were detached from the Team to work with GEN Weyand and played a significant role in the preparation of the final report to the President. During this same period, GYSGT Pace and SP7 Bell were detached for two days to assist with refugee control aboard ships returning from Danang. Mrs Jacqueline Partridge, Secretary to the Chief, was detached on 26 March to USAID/Catholic Relief Service to work with the orphanage and refugee relocations. On 4 April 1975, the USDEL was dealt a severe blow by the deaths of Mrs Kavulia and the wife and son of SP7 Bell in the crash of the C5A at Tan Son Nhut AB. USDEL members assisted at the crash site and at the Casualty Reception Center during the rescue operations.

PRELUDE TO EVACUATION

Given the deteriorating military situation, the weekly Saigon-Hanoi liaison flight on 4 April 1975 was cancelled by DOD/State Departments.

The Chief, USDEL, requested and received permission to establish an alternate Command Post at Camp Samae San, Thailand. On 10 April 1975, the Deputy Chief, LTC Wilson, and Admin NCO, MSG Boggs, departed by C-130 aircraft with USDEL records and equipment.

On 11 April 1975, the liaison flight to Hanoi was resumed. CPT Herrington, MSG Herron and Mr Ngo represented the USDEL. The only departure from norm was an acrimonious exchange between US/RVN Dels and DRV escort personnel. A warning sign was flashed by the last minute cancellation of the return to Saigon of CPT To, identified (along with COL Tu and MAJ Mai Nguyen) as one of the three key DRV Delegation members. Another key member, MAJ Mai Nguyen, had gone to Hanoi on 11 April for "hospitalization." This left only COL Tu, Chief of the DRV Delegation, in Saigon. It was believed that the DRV Delegation could be utilizing the liaison flight to exfiltrate its key personnel to Hanoi. The DRV Delegation then manifested its last key member, COL Tu, on the 18 April flight. This flight, however, was cancelled because of "mechanical difficulties" as instructed by Ambassador Martin.

One clear vulnerability of the USDEL was the continued presence of its local national (LN) employees in Vietnam. The safety of these personnel was threatened because they had been exposed repeatedly to both the DRV and PRG. Also, with a likelihood that the USDEL might remain after a PRG takeover, it was obvious that the continued presence of the LN employees could pose a serious impediment to future negotiations. On 18 April 1975, the Chief, USDEL, privately requested authority from OASD/ISA to evacuate these personnel and their family members. Permission was granted. On 23 April 1975, 22 USDEL employee (with 132 family members) were placed on 60 days TDY and evacuated to Guam.

On 24 April 1975, the Defense Attache Office (DAO) was authorized to begin the evacuation of counterpart families. Earlier, MAJ Sabater and SSG Ginn had been detached to work with the DAO Emergency Evacuation Center (EEC). During the period 24-28 April, the USDEL evacuated 1,061 Vietnamese nationals, including 950 counterpart family members of both the RVN Delegation, FPJMT, and the RVN Delegation, Two Party Joint Military Commission, as well as 111 special category personnel. LTC Guy D. Luke and MAJ Daryle D. Cook were placed on TDY to Guam to assist in the reception of the USDEL evacuees. MAJ Cook took a $7,152 Delegation LN payroll with him to Guam. This evacuation of some 1,200 personnel was seriously complicated by the requirement to infiltrate them onto the Base at Tan Son Nhut without the permission of the RVN Government. The operation required

concealment of personnel and other subterfuge that taxed the ingenuity of USDEL members. It was only through their extraordinary efforts that such a massive number of people were processed during this five-day period--a number far in excess of that evacuated by any other element of the US Mission. When the fixed-wing airlift evacuation was terminated because of hostile action on 29 April, only two manifests of counterpart families--approximately 400 personnel--remained.

Concurrently with the ongoing evacuation of counterpart families, the Saigon-Hanoi liaison flight was flown for the last time on 25 April 1975. LTC Summers and SP7 Bell flew as USDEL representatives. In short, the DRV Delegation made three significant comments: (1) The Four Party Joint Military Team must stay in RVN. (2) The Defense Attache Office must go in its entirety. (3) The AMEMB must work out its future with the new Government. Because of DRV sensitivity to the number of remaining DAO personnel, on 26 April 1975, with the knowledge of MG Smith, DATT, USDEL passed to the DRV DEL the DAO strength figures as of 25 April 1975 (350 total US military, DAO civilian and contractor personnel).

With the unambiguous message from the DRV that the FPJMT must stay in RVN, the Chief of the USDEL began contingency planning for an independent, self-sustaining USDEL. A personal message was dispatched to OASD/ISA with recommended organization, and coordination was begun with the DAO. A separate private

message was dispatched to the Secretary of Defense by Mr Von Marbod, OSD Representative in Saigon.

At approximately 1800 hours, 28 April 1975, departure of the last USDEL counterpart family group was delayed by a hostile air strike directed against Tan Son Nhut AB. During the air strike, USDEL members were instrumental in leading personnel to safety in the Command Mess area. Because of initial confusion over the source of the bombing (i.e., VNAF coup or PRG attack), a check was made on the safety of the DRV and PRG delegations. It was subsequently determined that the attack was indeed conducted by the PRG, using captured aircraft.

EVACUATION OF SAIGON

At 0410, 29 April 1975, the PRG initiated a rocket and artillery attack on Tan Son Nhut AB and the DAO complex. The attack continued without interruption until approximately 0715 hours and then sporadically throughout the day. CPT Herrington, present at the USDEL HQ in Building 5000, was one of the first individuals on the scene where two Marine guards were killed by a rocket and assisted in redeployment of the guard forces and evacuation of the remains. In the meantime, COL Madison and LTC Summers readied the bunker in the Command Mess area for occupation and immediately gathered all residents of the trailer park in a place of safety.

At 0525, 29 April, USDEL protested to both the DRV and PRG Delegations. The text of the protest was as follows:

> The US Delegation strongly protests the threats to our safety by your wanton shelling and calls upon you to immediately guarantee our safety as required by the agreements on privileges and immunities.

The response from the PRG Delegation was that "Even I don't know the reason why." The response from the DRV Delegation was "We are in the same boat."

At 0700, 29 April, USDEL assembled at their headquarters with their baggage prepared for evacuation as ordered by the DATT. At 0945, the USDEL was instructed that it would not be evacuated, but would remain in country and was ordered by the DATT to displace to the AMEMB in downtown Saigon, some five miles away. At 1150, the USDEL arrived at the AMEMB with four vehicles, office equipment and individual weapons, and reported to Mr James B. Devine, Chief of Political/Military Section. The USDEL was informed that a decision to evacuate the American Mission in its entirety had been made by the President.

Upon arrival at the AMEMB, preparations were being made to clear a landing zone in the AMEMB parking lot. A large tree in the middle of the proposed landing zone was being felled under the direction of an individual in civilian clothes who was later identified as MAJ J. H. Kean, CO of Company C, Marine Security Guard Battalion, who had recently arrived from Hong Kong. Landing zone preparation, including disposal of felled trees and displacement of vehicles, continued for approximately two hours. Even if the evacuation had been ordered earlier, the parking lot landing zone was not operational until approximately 1400 hours.

A reconnaissance of the AMEMB area revealed an extremely large crowd in the Combined Recreation Association (CRA) area of the Embassy, as well as large groups of people around the AMEMB grounds. An exact estimate of the number of personnel was impossible to obtain since the various buildings of the CRA complex were packed with people. It was noted that no provisions had been made to evacuate the liquor from the CRA storerooms and the bar area. Looting was in progress. USDEL personnel unilaterally placed padlocks on several of the liquor cabinets. The entire scene was one of total disorganization and mounting fear, especially since the events taking place in the AMEMB proper were screened from view by buildings and a high wall and no attempt was being made to communicate with the crowd. As an example, Air America helicopters were landing on the AMEMB roof depositing people from assembly areas throughout the city. The arrival and departure of these aircraft was interpreted by the crowd as evidence that the AMEMB was being evacuated and personnel in the CRA area were to be abandoned. The crowd in the CRA consisted of American citizens, American citizens with Vietnamese dependents, Third Country Nationals, Embassy Vietnamese employees and other eligible evacuees.

Investigation of the evacuation plan for the AMEMB revealed that it envisioned a minimal helicopter lift from the AMEMB roof to evacuate Embassy personnel. The bulk of the people assembled in the AMEMB were to be moved by bus to the DAO area where large

landing zones had already been prepared. The plan did not foresee the need to evacuate large numbers of people from the AMEMB grounds by heavy-lift helicopter. It was obvious by this time, however, from monitoring the Mission Warden radio net, that bus movement was beginning to run into increasing difficulty at the hands of renegade RVN soldiers, disgruntled VNAF MP guards at Tan Son Nhut AB, panicky crowds of Vietnamese employees, and incoming artillery in the DAO area. In fact, by late afternoon, the bus plan had completely broken down, forcing eight bus loads of evacuees to abandon attempts to reach DAO. These eight bus loads eventually sought haven in the CRA compound, further increasing the problems at the AMEMB. Further evidence of lack of realistic planning was the repeated phone calls from USIS and AMEMB LN personnel who had moved, as per instruction, to "safe" houses, but were subsequently abandoned.

Although USDEL observed that Ambassador Martin was present, it was clear that Mr Wolfgang J. Lehmann, Deputy Chief of Mission (DCM), was in effective charge of activities going on at the AMEMB. It was also apparent that the AMEMB staff was not prepared for such an evacuation--especially one requiring the helilift of thousands of persons from the AMEMB. Initially Mr Mr Lehmann designated Mr J. Blowers, Political/Military Affairs Officer, to coordinate the AMEMB evacuation. Observing the confusion that was taking place and the fact that such an evacuation appeared to be beyond the capabilities of the AMEMB

employees, Chief of USDEL had earlier volunteered the services of the USDEL in any capacity that might be helpful (USDEL strength at that time was three officers, COL Madison, LTC Summers, CPT Herrington, and three NCOs, MSG Herron, GYSGT Pace, SP7 Bell). At about 1400 hours, the Chief, USDEL, was asked to take charge of organizing the evacuation of the crowd at the AMEMB. MAJ Kean continued in command of the Marine Security Guard and continued to direct the landing of helicopters in the parking lot landing zone, while USDEL organized and marshalled personnel for loading. This split in command, although not evident at the time, would later cause a major problem when conflicting orders were received by Chief, USDEL, and MAJ Kean. It must be noted that throughout the entire period the USDEL received major assistance from the Marine Security Guard, the Marine Security Force, FSR Kenneth P. Moorefield, Acting FSR Jim Morrow, Regional Security Officers Marvin L. Garrett and John A. Jarrell, and Steven B. Bray and George C. White and their Mission Warden staff, all of whom should be commended for their outstanding service.

Although the parking lot landing zone was ostensibly ready for use at 1400 hours, examination revealed many obstacles which should have been apparent to anyone familiar with helicopter operations. Although helicopters were then enroute, the flyaway at the head of the landing zone was still obstructed

by antenna wires attached to a mast on the roof of the fire-house and guy wires on another antenna on an adjacent building. These wires were so positioned that any helicopter attempting to land would risk flipping over into the landing zone, thereby, effectively closing it to future lifts. Over the objections of Embassy personnel, who argued that cutting the wires required permission, Chief, USDEL, ordered a Marine to climb the antenna tower and remove the obstacles.

During the initial stages of the evacuation, the majority of the Embassy staff, which included USIS and USAID personnel, were evacuated from the AMEMB roof landing zone by Air America helicopters.

Additional Marine security forces were inserted by the first wave of heavy-lift helicopters at approximately 1430 hours. Although two platoons were deployed, it was significant to note that there was no company control headquarters inserted. MAJ Kean thus was faced with the responsibility for the physical security of the AMEMB perimeter, the control of the 44-man detachment of the AMEMB Saigon under the command of MSGT Juan J. Valdez, and two separate platoons, as well as running the landing zone in the parking lot. With his attention thus diverted, he could not put proper emphasis on what should have been his primary mission, the safe removal of those persons the US Government had pledged to evacuate.

GYSGT Pace was directed to get a count of personnel remaining within the AMEMB building and immediate efforts were made to evacuate all personnel who remained in the AMEMB compound itself. Personnel within the Embassy were directed to evacuate by the rooftop landing zone. When this operation was completed, the great bulk of potential evacuees were located on the CRA grounds.

At approximately 1500 hours, in an attempt to alleviate the mounting panic within the CRA compound, LTC Summers, assisted by Rev Tom Stebbins, a Vietnamese linguist, moved throughout the CRA compound and explained exactly how the evacuation would proceed. Evacuees were informed of what was happening within the AMEMB grounds and that the evacuation would proceed in three categories: first, the American citizens and dependents; second, Third Country Nationals; and third, Vietnamese employees and other eligible evacuees. Confident of the assurances received from the DCM that all persons would be evacuated, that the USDEL and Marine Security Forces would remain until everyone had left, and that there was no need for panic or concern, LTC Summers and Rev Stebbins repeatedly stressed that everyone would be evacuated. This message was reiterated throughout the day by CPT Herrington, SP7 Bell, MSG Herron and Rev Stebbins, all of whom spoke Vietnamese. Rev Stebbins was tasked with keeping count of evacuees moving from the CRA. He kept the statistics on the lift until his departure at 0045, 30 April. Rev Stebbins, a local missionary, should be officially commended for his invaluable services.

The lift proceeded smoothly throughout the day, with the landing zone being marked with smoke upon visual contact with the helicopters. Since MAJ Kean had a radio operator with him, it was assumed that he had radio communications with the helicopters. Once darkness fell and it was impossible to make visual contact, it was learned that this was not the case. MAJ Kean did not have the required frequencies or an SOI. USDEL personnel contacted Mr George Hanushevsky, a DAO employee on duty in the AMEMB Communications Room, and acquired the necessary frequency. Then, using a USDEL radio, contact was established with the DAO Emergency Evacuation Center, which was then controlling the airlift.

This communication proved effective until the displacement of the DAO EEC at approximately 2400 when communications were lost. Because of message traffic seen in the hands of the DCM it is believed that communication was being made between the AMEMB and the USS Blue Ridge. The AMEMB communications site, however, closed down at approximately 0300 hours when Mr Hanushevsky and Mr Mel Chapman, Embassy Communications, reported to the landing zone for evacuation. USDEL suspects that communication continued through separate OSA facilities until approximately 0415, at which time these facilities were deliberately destroyed. To the knowledge of the USDEL, after that time the only communications extant was the internal Marine Security Force net.

Starting at about 2300 hours, there was a lull in helicopter lifts as the final evacuation of the DAO began. Because of this, panic began to mount in the CRA compound, and rumors circulated that the evacuation was being discontinued. MSG Valdez, with several Marines, held the anchor chain-link fence gate against the mounting pressure from the crowd. Tension was climbing to the point where people were in danger of being trampled to death by the pressure at the gate. The situation was clearly beyond the control of the Marine guards, who began to resort to force. This, in turn, tended to intensify the panic. At approximately 0100 hours, CPT Herrington moved into the CRA compound and made his way through the mob, followed shortly thereafter by LTC Summers and MSG Herron. These personnel, in effect, made themselves hostages to the mob in an attempt to show that no one would be left behind. Using a bullhorn, as well as their military presence, they began to calm the fears of the crowd. Concurrently, Chief, USDEL, calmed the Marine Security Guard/Marine Security Force personnel who were still concerned that the mob would force the gate. Two separate areas were cordoned off by LTC Summers and MSG Herron using the swimming pool as a divider. CPT Herrington then had the knot of people clustered at the gate admitted into the Embassy compound. This cleared a working area and took the pressure off the Marine guards. The crush at this point was so intense that one American citizen suffered a heart attack and had to be medically evacuated. Once the crowd saw that there was some

organization present within the CRA compound and that the USDEL personnel were willing to share their predicament, the evacuees obeyed USDEL personnel orders and organized themselves into two separate columns of family groups.

While the organization of the CRA compound was taking place, Ambassador Martin directed that all personnel in the CRA compound be moved into the AMEMB compound proper. This step permitted an estimate to be made of the number of people remaining to be evacuated. Furthermore, by emptying and sealing off the CRA compound, the size of the AMEMB perimeter was reduced by one-half. This permitted positive prevention of further increases in the size of the evacuee group by wall jumpers. Alternating from one column to the other, the personnel in the CRA compound were all admitted in family groups to the AMEMB compound and marshalled onto the roof of the firehouse and in the parking lot outside the AMEMB mailroom. As the evacuees filed from the CRA compound, it was ascertained that approximately 1200 remained to be evacuated. By 0300 the CRA had been completely cleared and was sealed off.

At approximately 0030 hours, the lift resumed and continued sporadically until 0900 hours, at which time six CH-53's landed consecutively in the parking lot landing zone. As the heavy lift continued from the parking lot, the CH-46's continued to lift people from the AMEMB roof and evacuees were being shuttled up the stairwell to the roof. At 0400 hours, the

announcement was made that the remaining lifts of evacuees would be by CH-53 and, therefore, all evacuees in the AMEMB building returned to the ~~parking lot landing~~ zone. At 0420 what proved to be the last CH-53 lift departed the parking lot landing zone. Approximately 3,000 evacuees had been helilifted from the AMEMB rooftop and parking lot landing zones. There remained to be evacuated six CH-53 loads of approximately 420 personnel. These were marshalled into six loads available for immediate embarkation, since the experience at 0300 proved that with sufficient lift capability, organized and marshalled groups could be moved at a rate of one group per three minutes. At this point, six additional CH-53 lifts and 20 minutes would have completed the evacuation.

The status of the remaining lift was communicated to the DCM at 0415 hours. The DCM reply was that there were no more heavy lift. Chief, USDEL, informed Mr Lehmann that six lifts were required and that USDEL personnel would only depart the AMEMB on the final lift when all evacuee had been extracted. Mr Lehmann assured the Chief, USDEL, that in that case the necessary lift would be provided. At 0440 Mr Brunson McKinely, Special Assistant to the Ambassador, reiterated this promise to LTC Summers. At approximately 0400, both Ambassador Martin and DCM Lehmann toured the parking lot landing zone and the empty staging areas. They observed the remaining evacuees marshalled beside the landing zone.

At 0445 hours, with no notification to Chief, USDEL, Ambassador Martin and his key staff departed the Embassy. After the Ambassador's departure, MAJ Kean informed Chief, USDEL, that there would be no more lift except for the remaining US Marines and USDEL personnel. Chief, USDEL, replied that six evacuee lifts were required, and that he would take this matter up with the Ambassador or the DCM. Chief, USDEL, was then informed by MAJ Kean that "they just left." When Chief, USDEL, remonstrated that he intended to remain until all evacuees were extracted, MAJ Kean replied that the cancellation of the lift and the removal of Ambassador Martin was by Presidential order and that he could risk the safety of his Marines no longer. Since there was no way for the Chief, USDEL, to challenge the authenticity of MAJ Kean's statements--which evidently had been privately communicated to him just prior to departure of the Ambassador and staff and no way for six USDEL personnel to secure the landing zone without the Marine Security Force--the USDEL was forced to begin surreptitious withdrawal into the AMEMB building. USDEL records and baggage were prepositioned on the sixth floor by Delegation NCOs. At 0523 hours, 30 April, the first, consisting of COL Madison, LTC Summers, MSG Herron departed from the AMEMB roof. The final lift of USDEL personnel at 0530 hours carried CPT Herrington, SP7 Bell and GYSGT Pace.

Remaining on the parking lot landing zone were six marshalled organized lifts of approximately 420 personnel including

members of the Korean Embassy, AMEMB fire department employees who had volunteered to stay on duty until the final lift in case of fire in the AMEMB, a German priest who had been working with refugee groups and who was of great assistance in organizing the CRA compound, and other AMEMB LN employees and their dependents. All these personnel had abandoned their luggage on our orders so they could be more easily extracted. It was evident at this point that the moral commitment to these evacuees and the obligation of the US personnel to honor the commitment of their Government was not widely shared outside the USDEL. MAJ Kean was primarily concerned with the safety and evacuation of his Marine security personnel. It must be noted that the military situation, although tense throughout the day and night, was still in manageable terms (i.e., AMEMB compound was not receiving fire or artillery), and no casualties were either taken or inflicted. Since only 20 minutes was needed to complete the evacuation and some three hours elapsed from the departure of the USDEL until the final Marine was withdrawn, it was obvious that time was not a critical factor.

POST EVACUATION

Upon arrival at the USS Okinawa, discussions were held with LTC Jim Bolton, Squadron Commander of HMH 462. LTC Bolton replied that as one of the primary heavy-lift commanders, he had no idea that only six lifts remained to complete the

evacuation of the AMEMB. In subsequent informal conversations, it was revealed that this fact had evidently not been communicated to the Fleet. Feeling that they were dealing with a "bottomless pit" rather than merely six heavy lifts of evacuees, the flight commanders generated pressures for an end to the evacuation -- pressure they would not have generated if the true situation had been known. Someone had apparently failed to accurately report the situation at the AMEMB landing zone.

USDEL reception on the USS Okinawa was well organized under the control of CDR Tegge, the ship's dentist. Personnel on the ship, especially BM1 James Legg, were most helpful and cooperative, not only to USDEL personnel, but to all the refugees. The personnel of the USS Okinawa should be commended for an outstanding job.

On 1 May, the USDEL was transferred by CH-53 to the USS Coral Sea. Because of limited airlift availability, COL Madison, LTC Summers and three NCOs remained on the USS Coral Sea while CPT Herrington was sent ahead to Cubi Point Naval Air Station as the advance party. Again the USDEL received most cordial treatment on the USS Coral Sea, especially from CAPT T. W. Durant, the Ship's Executive Officer, and YNCS Donald L. Stephens, Captain's writer, who assisted in the preparation and dispatch of the initial after-action report.

On 2 May 1975, COL Madison, LTC Summers and SP7 Bell departed the USS Coral Sea and remained overnight at Cubi Point where

they were joined on 3 May by MSG Herron and GYSGT Pace. With the Team reunited, the USDEL moved to Clark AFB on 3 May and departed on 4 May for U-Tapao RTAFB, Thailand, where they reassembled the Team at the alternate Command Post at Samae San.

CHRONOLOGY OF DELEGATION PERSONNEL

MILITARY PERSONNEL

Chief US Del	Russell, Byron H., Jr.	COL, USA	29Mar73 - 07Jun73
	Tombaugh, William W.	COL, USA	08Jun73 - 08Jul74
	Madison, John H., Jr.	COL, USA	12Jul74 - Present
Deputy Chief US Del	Robson, Lawrence	LTC, USAF	29Mar73 - Aug73
	Edwards, Gerald R.	LTC, USAF	22Jun73 - 08Jul74
	Wilson, Conrad L.	LTC, USAF	01Jul74 - Present
Secretary/XO, Chief Admin Division	Kosiba, Leo M.	MAJ, USA	29Mar73 - 01Jul73
	Fitzgerald, John M.	LTC, USA	02Jul73 - 09Jul74
	Green, Gilbert R.	LTC, USA	02Jul74 - Present
Chief Operations Division	Zobrist, Edward E.	MAJ, USA	29Mar73 - 09Aug73
	Schornak, Thomas R.	MAJ, USAF	22Jun73 - 10Jun74
	Luke, Guy D.	LTC, USAF	06Jun74 - Present
Chief Negotiations Division	Miles, Paul L., Jr.	MAJ, USA	29Mar73 - 13Sep73
	Lunde, Henrik O.	LTC, USA	01Aug73 - 27Jul74
	Summers, Harry G., Jr	LTC, USA	16Jul74 - Present
Chief Liaison Division	Thomas, John T., Jr.	CPT, USA	29Mar73 - 07Aug73
	Fitzgibbons, George F.	CDR, USN	08Aug73 - 08Aug74
	Hale, Frederick W.	CDR, USN	30Jul74 - Present
SGM/Senior NCO	Fowler, Jack George	SGM, USA	29Mar73 - 15May73
	Herron, William B.	MSG, USA	15May73 - Present

CHRONOLOGY OF DELEGATION PERSONNEL

MILITARY PERSONNEL (Continuation)

Piotrowski, Karl P.	MAJ, USA	Negotiations Staff Officer	29Mar73-08Sep73
Cook, Daryle D.	MAJ, USAF		10Jul74-Present
Zobrist, Edward E.	MAJ, USA	Operations Staff Officer	10Aug73-19Sep74
Sabater, Jaime, Jr.	MAJ, USMC		27Aug74-Present
Rich, Richard C.	MAJ, USMC	Liaison Officer, Negotiations Staff Officer - Historian	03Sep73-03Sep74
Thomas, John T., Jr.	MAJ, USA	Negotiations Staff Officer Press Officer	08Aug73-19Jun74
Herrington, Stuart A.	CPT, USA	" " " " "	02Feb74-Present
McDonald, James	CPT, USA	Operations Staff Officer	29Mar73-14Sep73
Murray, Charles R.	MAJ, USA	Legal Officer	15Apr73-26Jul73
Scanlon, Jerome W., Jr.	CPT, USA		18Jul73-08Jul74
Rose, Lewis J.	MAJ, USA		14Aug74-Present
Ginn, Donald D.	SSG,USA	Operations Sergeant	29Mar73-Present
Craighead, William F.	SSG, USAF	Negotiations Admin NCO	29Mar73-08Nov73
Brown, Russell H.	TSG, USAF		15Nov73-05Sep74
Boggs, David T.	MSG, USAF		10Sep74-Present
Herron, William B.	MSG, USA	Administrative NCO	29Mar73-Present
Fritch, Bryan	GYSG, USMC	Liaison NCO	08Aug73-05Aug74
Pace, Ernest L	GYSG, USMC		06Jul74-Present

CHRONOLOGY OF DELEGATION PERSONNEL

MILITARY PERSONNEL (Continuation)

Rousseau, Warren E., Jr	SP5, USA	Interpreter-Translator, Liaison Division	29Mar73-24Aug74
Bell, Garnett E.	SP7, USA	" " " "	15Aug74-Present
Farley, James C.	SP5, USA	Clerk-Typist, Negotiations Division	29Mar73-15Aug73

DOD CIVILIANS

Partridge, Jacqueline F.	GS-7	Office of the Chief	Secretary (Steno)
Drye, Helen R.	GS-6	Liaison Division	Admin Supv (15Nov73)
Kavulia, Barbara J.	GS-6	Negotiations Division	Secretary (Steno) (4Apr75)
Murphy, Stephanie K.	GS-6	Administrative Division	Secretary (Steno)
Singletary, Candy	GS-5	Office of the Chief	Clerk-Typist (30Jan75)
Albright, Sophie H.	GS-4	Administrative Division	Clerk-Typist
Dayhoff, Nam Hoang	GS-4	Administrative Division	Clerk-Typist (May 74)
Olson, Sherry A.	GS-4	Operations Division	Clerk-Typist (15Nov73)

VIETNAMESE EMPLOYEES

Phu, Nguyen Cong	VGS-12	Liaison Division	Project Ln Off
Ngo, Dao Trong	VGS-12	Liaison Division	Project Ln Off
Bich Loc, Nguyen Thi	VGS-11	Negotiations Division	Public Affairs Writer
Cao, Nguyen Dang	VGS-9	Operations Division	Operations Specialist
Chu, Nguyen Van	VGS-9	Liaison Division	Interpreter/Translator
CUC, Nguyen Man Thi	VGS-9	Liaison Division	Admin Specialist
Ngoc, Nguyen Viet	VGS-9	Liaison Division	Interpreter/Translator
Hanh, Vo Van	VGS-7	Administrative Division	Illustrator
Nhien, Tran Thi	VGS-7	Administrative Division	Admin Assistant
Ban, Nguyen Thi	VGS-5	Negotiations Division	Clerk-Typist
Bich, Tran Thi Kim	VGS-5	Liaison Division	Clerk-Typist
Hao, Nguyen Kim	VGS-5	Operations Division	Clerk-Typist
Huong, Nguyen Van	VGS-5	Office of the Chief	Executive Chauffeur
Mai, Nguyen Thi	VGS-5	Negotiations Division	Clerk-Typist
Muoi-Ut, Pham Thi	VGS-5	Administrative Division	Clerical Assistant

VIETNAMESE EMPLOYEES (Cont'd)

Nga, Nguyen Thi	VGS-5	Liaison Division	Clerk-Typist
Thanh-Tan, Le Thi	VGS-5	Operations Division	Clerk-Typist
Thuc, Tran Thi	VGS-5	Liaison Division	Clerk-Typist
Tuyen, Dinh Duc	VGS-5	Administration Division	Executive Chauffeur
Xuan, Le Thi	VGS-4	Administration Division	Clerk-Typist
MAO, Nguyen Thi	V-1	Administration Division	Laborer