

28 April 1997

From: Dr. Castle, Chief SE Asia Archival Research

Subject: REFNO 2052, The Loss of LS-85, Eleven Unaccounted For Americans

TO: LtCol Man, Plans and Policy

1. **PURPOSE:** This memo responds to your request for my recommendations on further pursuit of REFNO 2052 as well as my response to the undated REFNO 2052 "Position" and "Background" materials you have provided. Although these "Position" and "Background" papers were written anonymously, I was told that they were submitted by LtCol Schiff and/or Mr. Destatte. I will also comment on the materials which were faxed without DPMO approval by Mr. Destatte to Det 2, JTF-FA and the Vietnamese government on 13 February. Although I have been assured by Mr. Liotta that this unauthorized conduct by LtCol Schiff and Mr. Destatte has been disavowed by the DPMO leadership in conversations with CDR JTF-FA, I believe it is important that this continuing extra-official relationship ("the old sergeant network") be examined. This is an issue which goes to the core of DPMO's credibility, long-standing efforts by Mr. Destatte (apparently with LtCol Schiff's approval) to surreptitiously pass information to Hanoi which impedes a fullest accounting of our missing Americans.

2. **CREDIBILITY:** As a two-tour combat veteran of the Vietnam war, school-trained intelligence officer with a doctorate in Southeast Asian history, over two decades of unique travel throughout Southeast Asia (including the location of REFNO 2052), and the author of numerous book reviews, articles, and an internationally recognized book on the war in Laos, I will frame this case within its correct political/military historical setting. Why is this necessary? Because DPMO needs to produce unimpeachable analytical recommendations based on the very best available information. While we would never accept less than state-of-the-art computers to perform our work, LtCol Schiff and Mr. Destatte continue to base their conclusions regarding REFNO 2052 on outdated information. In an effort to protect their faulty conclusions, they have concealed and misrepresented any information which does not fit their perspective. Moreover, they are predisposed to give greater credence to the "recollections" of communist officials than to contemporaneous U.S. records and the memory of American witnesses. The result - a corrupt analytical determination which is factually, intellectually, and morally indefensible.

3. Titles do not bestow knowledge; our society demands specific standards for professional credentials. College degrees, often advanced, are now commonly required for even entry level government and private sector positions. The development and utilization of area experts, as embodied in FAO training and advanced academic work, is well established and highly valued. Nonetheless, in government service it is sometimes the case that titles and positions are bestowed because of time on the job and military rank. These "longevity awards" should not be mistaken as a validation of competence. Neither LtCol Schiff nor Mr. Destatte possess the credentials of the most junior FAO or post-baccalaureate area specialist. We don't fly in airplanes flown by mechanics who one day decided they were pilots - we ought not blindly accept "analysis" from non-area specialists.

4. Indeed, Mr. Destatte's poor record of accomplishment and inability to provide documentation for years of duty in Hanoi as a "historian" are well known to the DPMO and JTF-FA leadership. He is, according to qualified observers and consistent with his enlisted military training, an able interpreter. Advanced in rank over many years to GS-15, a grade which normally requires significant managerial duties, he is now handsomely paid to supervise no one. While it is understandable why the DPMO leadership would not place him in a supervisory position, his rank and apparent lack of a meaningful job allows him to insert himself into all manner of issues for which he often has little expertise. Moreover, since he lacks the training and intellectual curiosity to remain abreast of relevant academic developments and is suspicious of those who do, he often impedes the work of better educated, though junior ranking, analysts. In sum DPMO must not unquestionably accept "analysis" by those who, by reason of rank or longevity, one day proclaim themselves to be a "historian" or an "area expert."

5. INTEGRITY: More troubling is the lack of intellectual honesty and integrity shown by LtCol Schiff and Mr. Destatte. Apparently unfamiliar and uncomfortable with the importance of rigorous oral argument and proper documentation, LtCol Schiff and Mr. Destatte regularly justify their "analysis" with misrepresentations and falsehoods. Briefly, as additional illustrations will be provided below, are two examples of their loose ethics. When asked by Mr. Rosenau and I (the analysts assigned to REFNO 2052) about the filming of the 1994 witness interview at Pha Thi mountain, Mr. Destatte consistently denied any such record. When shown evidence in a JTF-FA report that the interview was video-taped, he continued to deny any knowledge. Interestingly enough, when a copy of the tape was obtained from CILHI it showed the witness, Mr. Muc, Mr. Destatte, and LTC Pham Teo, a senior cadre and intelligence officer with the VNOSMP. The presence of LTC Pham Teo was never revealed in Mr. Destatte's report, despite the fact that Pham Teo is seen and heard to be coaching Mr. Muc on his recollections. It is instructive that Mr. Destatte felt it unnecessary at the time of the interview to inform the case analysts of the presence of LTC Pham Teo and then attempted to hide this important fact. As the initial collector, Mr. Destatte had the important responsibility of providing the assigned analysts with all available information. Surely the presence of this important cadre and his pervasive involvement in the interview would need to be considered by the analysts in their judgment of Mr. Muc's credibility? Mr. Destatte, for reasons best known to himself and the Vietnamese, concealed this information and then lied to cover-up his omission.

6. With regard to LtCol Schiff, in the presence of LTC Baughman and myself, in December 1996 she badgered Mr. Rosenau (her subordinate) in an unsuccessful attempt to have Mr. Rosenau recant his analytical conclusions on this case in favor of her flawed analysis. (Explained in detail below). Specifically, she attempted to use her position to force Mr. Rosenau to support her belief that a REFNO 2052 witness was reliable, when Mr. Rosenau strongly believed just the opposite. Mr. Rosenau had been the REFNO 2052 analyst for many years prior to the arrival of then Major Schiff, had conducted numerous interviews, and had written a comprehensive paper on the case. Nonetheless, she engaged in a blatant attempt to inappropriately influence his analytical views. This appalling lack of integrity and abuse of position was further exacerbated when, according to Mr. Rosenau, she later told him he "should look for another job." With such limited ethics and so

little regard for the truth when it is personally inconvenient, LtCol Schiff has much to fear from true and open analysis. Below I detail how LtCol Schiff and Mr. Destatte, supposedly honest, qualified, well-read and intellectually engaged specialists, have allowed their professional shortcomings and personal feelings to pervade and delay much needed work on REFNO 2052.

7. CASE BACKGROUND: REFNO 2052 is the single largest American ground loss in Laos, involving eleven missing Americans from a March 1968 PAVN/Pathet Lao attack on a highly classified radar/TACAN site (LS-85) located in northeastern Laos near the border with North Vietnam. Until very recently the formerly classified nature of this project, a clear violation of the 1962 Geneva Accords, prevented a complete examination of the circumstances surrounding the attack and capture of LS-85. In March 1994 JTF-FA was provided access to the site and Major Schiff accompanied the JTF team to the mountain. In early 1994, while teaching at the University of San Diego, I was hired by NBC News as a technical advisor for a newsmagazine program on the loss of LS-85. At the same time, Mr. Gray, DPMO/CO, was in contact with me and asked that I assist with the on-site investigation. During the Spring academic break I traveled to Laos and eventually met with Major Schiff in Sam Neua city and at LS-85. Our NBC team included the former commander of the eleven missing Americans, and he and I both assisted Major Schiff. Later, in Vietnam, the NBC team was able to develop new information about the attack on LS-85. These leads were passed to JTF-FA and eventually the Vietnamese provided access to Mr. Muc, the alleged leader of the PAVN team which attacked LS-85. It is worth noting that Mr. Destatte, who had been assigned to JTF-FA/Hanoi for some time, had developed nothing on this significant case. Qualified area experts and good investigative skills, focused on the facts and not political expediency, produced results.

8. Upon learning that Mr. Muc would be available for interview, Major Schiff contacted me and asked that I assist her in preparing interview questions. I agreed and also provided a great deal of information on LS-85 which I had developed at my own initiative and expense. (Upon returning to the University of San Diego from Southeast Asia I was asked by Columbia University Press - the publisher of my first book on Laos - to write a comprehensive study on the development, loss, and political/military ramifications of the LS-85 program. I agreed and traveled extensively interviewing diplomats, military and intelligence personnel, survivors, the families of those who were lost at LS-85, and knowledgeable indigenous persons. In keeping with my training as a historian, I also reviewed thousands of documents at various key archives.) In short, my expertise on this case was made available to Major Schiff, and I have notes from her attesting to this assistance. I make this point because, after joining DPMO and clashing with her over her sloppy analysis, LtCol Schiff accused me of using my position to research this book. As the record shows, it was my unique knowledge on LS-85 which was solicited and provided without compensation to DPMO. And, when DASD Wold called and spoke to me about joining DPMO I specifically raised the issue of the book. I was assured by him that there was no conflict. Nonetheless, about six months ago LtCol Schiff and Mr. Destatte again raised this canard. A formal DOD legal review determined that there was no conflict on my part. Like Mr. Rosenau, I too have been the subject of lame and childish "bully" tactics.

9. Using questions, maps, and other information I provided, Major Schiff developed a comprehensive package for Mr. Destatte's interview of Mr. Muc; an excellent basis for what might have been a very productive interview. However, as a reading of the report by any trained interviewer can attest, Mr. Destatte failed to properly question Mr. Muc on a number of inconsistencies and incredible statements. Until I joined DPMO, and had the opportunity to ask Mr. Destatte about his interview, I could never understand why Mr. Muc's statements went unchallenged. Upon Mr. Destatte's return from Hanoi in 1995, Mr. Rosenau and I met with him to discuss the significant new information (mostly in conflict with Mr. Muc's version) that we had developed from U.S. records and U.S. witnesses. Mr. Destatte's reaction was total disinterest and a visceral aversion to any re-interview of Mr. Muc. Mr. Destatte explained that Mr. Muc had "cried in front of me, so I know he was telling the truth." In more than twenty years of military and academic-based interviewing I had never heard that tears were a sure sign of veracity. Mr. Destatte went on to say that another interview would be "inconvenient" for Mr. Muc. Since DPMO works for the DOD and the families, not the communist government of Vietnam which proclaims total POW-MIA cooperation, it seemed odd that Mr. Destatte would be more concerned about the valuable time of a retired PAVN soldier than gaining a fullest accounting. Nonetheless, this has been a constant theme of Mr. Destatte - not to press and inconvenience the government of Vietnam.

10. THE MUC INTERVIEW: First, it should be understood Mr. Destatte is not, and has never been, the REFNO 2052 analyst. This responsibility has been shared by Mr. Rosenau, LtCol Schiff and, until I moved to my current duties, myself. Since transferring from DPMO/CO to DPMO/AR, however, my views on this case has been solicited by General Wold and others. Thus, when Mr. Destatte conducted the Muc interview he was acting as an interpreter supported and prepared by analysts responsible for Lao cases. Once he conducted the interview and wrote up his report it was the duty of the analysts, based on information not available to Mr. Destatte, to determine credibility. Nonetheless, based on his many years of working with Vietnamese military sources, one would have expected that when confronted with improbable statements Mr. Destatte would have sought some sort of explanation. He did not, but rather adopted a curiously accommodating role with Mr. Muc and his "handler" LTC Pham Teo.

11. During an analytical review of this interview, conducted by Mr. Rosenau and myself, we determined that there were serious flaws. In many instances Mr. Destatte failed to properly follow-up during the interview and in other areas significant additional information had been developed since the interview. Mr. Rosenau and I were firmly convinced that a re-interview was necessary to explain various inconsistencies and to pose additional questions developed from our newly acquired information. I am unaware of any case with this level of new information and obvious misrepresentations by the source where a re-interview has not been conducted. Since his interview of Mr. Muc, Mr. Destatte (and LtCol Schiff) have been provided with the detailed recollections of American witnesses which are in conflict with Mr. Muc's recollections. They have also been shown contemporaneous U.S. documents which shed considerable doubt on the assertions of Mr. Muc. Mr. Destatte and LtCol Schiff prefer to believe Vietnamese cadre over well informed Americans. Why? What do they fear from a re-interview? More disclosures about

how Mr. Muc's version was crafted and coached by Vietnamese intelligence officers? What they seek is for the U.S. to accept a patently false account in the hope that the Vietnamese will be rid of this very troubling case. For, if we accept information which we know to be flawed and tell the Vietnamese it has been accepted as credible (as Destatte has communicated to Hanoi), then we may be assured that the Vietnamese will continue to concoct explanations for delivery through these helpful emissaries.

12. COMMENTS ON THE POSITION PAPER: Undated and purported to be the "RA response," this paper was not coordinated and reflects the views of just two people - LtCol Schiff and Mr. Destatte. Under "details," it is stated that "Muc has been interviewed five times." In a clumsy attempt to give a single interview more credibility, they attempt to say there were multiple interviews on Pha Thi mountain. There may have been multiple discussions, and certainly intelligence officer LTC Pham Teo was there to insure the "proper" story was told, but he was not interviewed five times. Why does Mr. Destatte continue to hide the presence and involvement of LTC Pham Teo? The paper says that Mr. Muc's recollections were consistent with "the best available U.S. information." This is basically true - although a good interviewer would have also questioned many implausible statements- and underscores the very reason why Mr. Muc must be re-interviewed by a skilled interviewer. Significant new information from U.S. sources refutes his version. The paper then goes on to provide a simplistic overview of archival research in Vietnam. Since neither LtCol Schiff or Mr. Destatte, despite his self-proclaimed title of "historian" are qualified to conduct true archival research, their statements regarding the scope and quality of such work must be viewed with caution. Moreover, archival research in Vietnam has been conducted under the control of the communist government. While this may be sufficient for Mr. Destatte and LtCol Schiff, no serious researcher would ever make similar claims without full access by qualified personnel.

13. The comment that "REFNO 2052 was a ground loss is pertinent" and "From the PAVN perspective ... this attack was comparable to the hundreds of actions by U.S. forces that rated little more than one or two brief handwritten entries" is a striking illustration of their total lack of understanding of this case. How does one compare the seizure of a highly visible, fixed site, with more than 150 tons of equipment, manned by nineteen Americans, and protected by dozens of Thais and hundreds of Lao forces, with other Lao "ground" losses, mostly special forces members lost in isolated areas along the Ho Chi Ming Trail? Or, that an attack in Laos involving more than ten PAVN battalions was similar to "hundreds" of other actions? What hundreds of actions involved this number of Americans and this amount of equipment? Next, they will be trying to draw similarities between air losses over downtown Hanoi and those over triple canopy jungle in Attoupeu province and trying to say there are no written reports on the battle of Khe Sanh. Nonsense, pure nonsense.

14. Destatte/Schiff state "our desire for archival information must be tempered by the reality of what we have already found," clearly demonstrates their threshold for research - whatever the Vietnamese provide and say must be all that there is! Further, "DPMO and JTF-FA researchers have reviewed nearly 400 PAVN historical books and documents for information useful to

casualty resolution; to date we have found only seven publications that contained any mention of the attack on Phu Pha Thi." Mr. Destatte and LtCol Schiff also say Muc's claim of no written report is credible "in view of the paucity of information about the attack in Vietnamese publications." So, because the Vietnamese have never allowed a credible review of primary documents, this is enough reason to believe Mr. Muc? Incredible. Where is the document which says that 400 "books and documents" were reviewed? Who reviewed them and what was the language capability of those who performed this work? Who provided these materials and under what circumstances? Where they did come from? Are these the materials which Mr. Destatte obtained via cyclo drivers and maintains at his residence? These are the simple questions which would be asked by anyone conducting or supervising even the most basic research project. Qualified researchers understand that meaningful document research, particularly under the conditions found in Vietnam, mandates a review of primary sources. Unless and until qualified U.S. researchers obtain access to pertinent primary materials in Vietnam there can be no assurance that the Vietnamese government has no further information regarding U.S. losses. Credibility, objectivity, ethics, and professional competence will gain the fullest possible accounting - not irresponsible claims made on behalf of the Vietnamese government.

15. As to the recommendations contained in the paper, Mr. Destatte and LtCol Schiff mention the "possible ramifications" of undertaking a concerted effort by a qualified interviewer to re-interview Mr. Muc and conduct interviews with PAVN veterans who served in northeastern Laos during and after the loss. Stony Beach has the personnel to accomplish this effort and, if the Vietnamese are fully cooperating, what are the "ramifications?" Again, we are talking about the loss of eleven Americans in an area controlled by the North Vietnamese army for more than 15 years. Why not try to interview these veterans now before the passage of time removes these important sources? If the U.S government accepts the Vietnamese strategy of dragging out every simple effort, which is what Mr. Destatte and LtCol Schiff seem to condone and advocate, the Vietnamese will be pleased. But, we will never achieve our promise to the families.

16. LACK OF A VIETNAMESE REPORT: Of all the assertions made by Mr. Destatte and LtCol Schiff regarding REFNO 2052 and the interview of Mr. Muc, the most obvious falsehood is the lack of any written report on the attack and capture of LS-85. Anyone who has studied even the most basic text on modern Southeast Asian history understands that under the 1962 Geneva agreements Laos was declared a neutral country. North Vietnamese violations of the agreements caused the Lao government to request U.S. military assistance, also prohibited. And thus began more than a decade of covert U.S. military activity in Laos. From the outset, however, Washington directed that U.S. military personnel in Laos would be kept to an absolute minimum. Plausible deniability was the watchword and this is why, prior to their departure from the U.S., the men lost at LS-85 were officially separated from the U.S. Air Force. The U.S. ambassador to Laos at the time, William Sullivan, was absolutely adamant that the U.S. maintain as low a profile as possible so that the North Vietnamese and their allies would have limited opportunities to publicize U.S. violations of the 1962 agreements.

17. From a political standpoint the loss of LS-85 was a nightmare for the U.S. The Vietnamese captured, virtually intact, the TACAN and the TSQ-81 radar. Additionally, incriminating materials were left by the Forward Air Guide and the radar technicians. Personal effects, letters, and documents associated with the radar operations, etc., were all left at the site. Are we to believe that this treasure trove of information, which directly tied the U.S. to illegal activities in Laos, was of no interest to Hanoi's political and military leadership? According to Mr. Destatte and LtCol Schiff we are supposed to believe that Mr. Muc delivered only an oral report. No one in Hanoi was interested in the Americans or the equipment which was being used to direct bombers over important facilities? Intelligence services, both Vietnamese and their friends, had no interest in the capabilities of the equipment or the technicians who operated the site? Once the Vietnamese seized LS-85 they remained in control of the area throughout the end of the war. (Indeed, their forces remained in the area for some two decades). Yet, the Vietnamese claim they recovered not a button, panel, or piece of paper - NOTHING - from this site? And, most importantly, they know nothing of the eleven missing Americans? Of course, if you believe Mr. Muc, LtCol Schiff, and Mr. Destatte, they were all killed and left on the mountain. Proof? They offer nothing. On the other hand, there is the well documented Vietnamese practice of capturing Americans, burying Americans, collecting documents and equipment, and documenting all of it.

18. Further, although Mr. Destatte attempts to dismiss the facts, the PAVN Air Force museum has a very detailed display of the unparalleled January 1968 PAVN air attack on Pha Thi. Similar to the sand tables visitors are shown in other Vietnamese museums, the Vietnamese have constructed a highly visible, detailed representation of an attack (complete with a mock-up of the mountain, model AN-2 Colts, photos of the aircrew, and the gun pod from one of the AN-2 Colts) to publicize their "victory." While the exhibit exaggerates their true accomplishments it does show Vietnamese interest in Pha Thi and their willingness to expend all available resources to destroy the site. (Despite being in Hanoi for years, did Mr. Destatte and his Vietnamese colleagues ever attempt to follow-up on this information? No.) In sum, the PAVN Air Force conducted a unique air attack into Laos in an attempt to destroy the site. The attack was unsuccessful, but the event was determined to be of such importance that a display was constructed and prominently displayed for important foreign visitors. Nonetheless, under the Destatte/Schiff/Vietnamese scenario we are supposed to believe that the PAVN forces which actually attacked and captured the site did not even make a written report? Nonsense.

19. COMMENTS ON THE BACKGROUND PAPERS: Mr. Destatte and LtCol Schiff know that the Vietnamese were provided a copy of the CHECO report, along with all of the other materials provided to Mr. Destatte. Since Mr. Destatte has attempted to conceal his relationship with LTC Pham Teo and the interview of Mr. Muc, it is difficult to know exactly how much the data the Vietnamese had available to them in order to prepare for an interview. While I believe that Mr. Muc was part of the sapper force which attacked LS-85 I've seen no evidence that he was the leader. And, since LTC Pham Teo was at his side throughout the interview at LS-85, one must question how much Mr. Muc was able or allowed to say. Apparently the Vietnamese wanted to ensure Mr. Muc did not vary from the approved version.

20. Because of the work done by Mr. Rosenau and myself, we know that Mr. Muc has not accurately recalled the events at LS-85. A re-interview, obviously, would allow a skilled investigator to question Mr. Muc about these inconsistencies and to elicit further information. Most interviewers understand that if a witness is convinced that the interviewer has a considerable knowledge of the incident there is a greater likelihood that the witness will provide additional detail. On the other hand, if the interviewer has told the witness most of the known details and then declines to follow-up questionable responses, the witness (in the presence of a Vietnamese intelligence) is unlikely to be very talkative. Our work with American witnesses and U.S. documents has resulted in a detailed time line (provided separately) which shows Mr. Muc's account to be faulty. Our investigation shows that at about 0630 the senior CIA officer walked through much of the radar/TACAN area. The surviving technicians, including SSgt Husband who was not part of either the group on the ledge or those located with SSgt Starling, **had yet to be rescued**. Prior to being shot by a PAVN soldier and evacuated to the lower area, the case officer saw no bodies and no real damage to the radar site. (This lack of damage is also supported by photos taken by the Vietnamese themselves and made available to the U.S. by an American photojournalist).

21. According to Mr. Muc, from 0300 the PAVN had attacked the radar and had control of the site. He reported that there was considerable damage to the equipment and Americans were allegedly killed in and around the equipment. (This was part of the same area searched by the case officer who reported seeing nothing). Moreover, he claimed that he and his men had already carried Vietnamese dead and wounded down the mountain to their base camp. All of this, of course, was accomplished in darkness on the side of that steep mountain in the midst of U.S. air activity. Perhaps Mr. Destatte has never been in a combat situation, but for those of us who have flown combat missions at night over the mountains of Laos Mr. Muc's version is utterly incredible. Also bizarre is the statement made by Destatte/Schiff "There is no indication the Vietnamese attempted to obtain an accurate body count by examining the number of American bodies at the site and/or collecting artifacts that could confirm the number of American dead." In other words, the Vietnamese had complete control of the site and didn't bother to check the bodies or equipment? Despite the well documented North Vietnamese collection of American bodies and equipment throughout the war these two analysts can make such an inane comment?

22. However, since Mr. Destatte accepted Mr. Muc's story, why did he not consider the possibility that wounded or dead Americans could also have been transported down the mountain? More importantly, since he knew that SSgt Husband had remained in hiding from the PAVN prior to running to the first rescue helicopter, why was there no thought given to the possibility that other Americans might have remained hidden during and after the rescues? If he believes Mr. Muc transported his dead and wounded down the mountain why is it not possible that the PAVN also transported some of the technicians? Mr. Destatte knows that General Singkapo, a Lao general in a position to know, has reported the capture at LS-85 of several Americans. (The Singkapo interview was conducted in 1990 by myself and Mr. Karl Wycoff, DCM, U.S. Embassy, Vientiane. After a year of refusing additional access to General Singkapo, the Lao permitted a brief POW-MIA interview in which the general claimed he had been

misunderstood. With two U.S. Lao-speakers involved in the questioning of General Singkapo, and the level of detail he provided on other subjects, Mr. Destatte and LtCol Schiff know there was no misunderstanding. The Singkapo information has never been fully vetted because the Lao refuse to cooperate and the U.S. has decided not to press the issue).

23. One of the most amazing statements made by Mr. Destatte and LtCol Schiff concerns the lack of a Vietnamese presence in the area of the loss. You have already been provided with copies of just a few of the dozens of CIA reports which detail the Vietnamese campaign against LS-85. There is also the CHECO report. The fact is that there were more than ten battalions of PAVN forces located in the vicinity of Pha Thi. We also know that large numbers of PAVN troops remained in the area and successfully defended the site during a late 1968 counter-attack. Therefore, there are numerous Vietnamese witnesses to the critical post-attack seizure of the site. The Vietnamese controlled the area and any Americans, dead or alive, would be known to them. However, from the Vietnamese perspective (supported by Destatte/Schiff) it is much easier to claim that the men at LS-85 were all killed and buried (despite the absence of any remains) and, that there was nothing seized from the site (despite the presence of 150 tons of equipment), and that there was never a written report (despite the fact that the capture of LS-85 was a potential political bombshell to be used against the U.S.).

24. Mr. Destatte and LtCol Schiff conclude with the comment "we have come further on this case in the past three years than in the 25 years since the loss incident." Yes, indeed. And we have come this far because of the hard work of Mr. Rosenau, Mr. Gray, myself, and others who have energetically pursued this case. Years in Hanoi did not provide Mr. Destatte with any information on this loss - an NBC News team developed the lead to Mr. Muc. We have a detailed time line on the attack and rescue efforts at LS-85 because Mr. Rosenau and I doggedly pursued leads to develop witnesses and documents. We have interviewed nearly a dozen U.S. witnesses, including pilots, rescue specialists, case officers, rescue controllers, etc. Mr. Destatte and LtCol Schiff refuse to consider or acknowledge any of it because it does not fit their Vietnamese-produced version. Now Mr. Destatte and LtCol Schiff want to take credit for movement on this case? If one were to accept their view, that is the Vietnamese view, we will never know what happened to the eleven men missing from LS-85. Mr. Destatte's statements show that he is more concerned with intruding on the retirement of a PAVN soldier than learning the truth for the American families that have paid his salary all these many years. Or is it that his true relationship with a Vietnamese intelligence officer, LTC Pham Teo, will become known?

24. THE COMPREHENSIVE REVIEW: During the comprehensive review Mr. Gray assigned three analysts to this case; Mr. Rosenau, LtCol Schiff, and myself. As I have stated earlier, Mr. Destatte has never been assigned to this case. References in their papers to "RA analysts believe" is a base attempt to misinform the reader. Mr. Rosenau and I were directed to pursue new information and U.S. witnesses and LtCol Schiff was to concentrate on information available in the case file. As indicated above, Mr. Rosenau and I developed a wealth of new and relevant information. LtCol Schiff was told by Mr. Gray that she was to include in the comprehensive review our information and recommendations, which included the need to re-interview Mr. Muc.

She told us that she would comply. Later, however, Mr. Rosenau and I learned that she had not placed our views in the report. When asked to explain this serious breach of ethics she claimed to have "forgotten." I must, therefore, briefly comment on this incomplete and inaccurate report.

25. First, she is either sloppy or confused on the basic facts of the case. LtCol Schiff says that five technicians were "successfully extracted." Only four technicians survived the rescue; one was killed when the enemy fired into the helicopter. She also fails to provide any U.S. witness information on the two rescues, presumably because she knows it would conflict with what Mr. Muc recalls. LtCol Schiff then states that "survivors reported that eight of the site's 11 unaccounted for personnel were killed during the attack." This is categorically false, and she knows it. In December 1996 LtCol Schiff attempted to have a military board declare that eight of the eleven missing were known to be dead. However, following presentation of the proper facts by Mr. Rosenau and myself, the DPMO leadership determined that her analysis was defective and prior to the board the case was withdrawn. (This is the episode mentioned above where LtCol Schiff sought to use her supervisory position to intimidate a subordinate, Mr. Rosenau, into changing his analytical views). Nevertheless, she has refused to correct her errors in the comprehensive review. The facts are simple: only two of the technicians (Springsteadah and Gish) are known by U.S. witnesses to have been mortally wounded. Speculation regarding the locations of the other technicians prior, during, and after the attack, is just that - pure speculation. Her statement, "TSgt. Shannon and TSgt Holland were shot at point blank range," is supported by just one witness who has repeatedly changed his account. Indeed, when the U.S. government was sued by one of the families, the U.S. Attorney was unable to provide conclusive evidence on this loss incident and the death of TSgt Holland. Does she presume to know more than the Air Force office responsible for the LS-85 project and the U.S. Attorney? Nevertheless, in an effort to support Hanoi's version of the loss, LtCol Schiff and Mr. Destatte have attempted to distort or dismiss any information gained from U.S. sources.

26. Most telling about LtCol Schiff's report is the complete absence of nearly all the information developed by Mr. Rosenau and myself. In an effort to ensure that only her views become part of the official record, LtCol Schiff attempts to ignore key information. For example, she says nothing about the detailed recollections of the case officer who searched the loss area. She does not include the recollections of the pararescueman or the pilots involved in the rescue. She omits the detailed time line developed from U.S. records and witnesses. She ignores all this information because it does not comport with Mr. Muc's version. In short, LtCol Schiff's poor analytical abilities and limited ethics have resulted in a deeply flawed comprehensive review which is an insult to the families and the uniform she wears.

27. 13 FEBRUARY 97 UNAUTHORIZED CONTACT WITH HANOI: As mentioned above, in their efforts to ensure that Hanoi's version is accepted, Mr. Destatte and LtCol Schiff have engaged in unauthorized contact with the Vietnamese government and Detachment 2, JTF-FA. In January 1997, Mr. Destatte, LtCol Schiff, and myself were directed by the DPMO Chief of Staff to prepare our views on the case for a full scale review by Plans and Policy. In coordination with Mr. Rosenau, I quickly complied. Mr. Destatte and LtCol Schiff, however, produced a lengthy

memo on the case and faxed it directly to Detachment 2/JTF-FA in Hanoi where they knew it would become available to the Vietnamese government. Despite being told in December that she could not claim to know conclusively that eight of the eleven missing were killed at LS-85, the memo to Hanoi asks for help in learning "what happened to the bodies of the eleven Americans." "We have," referring to Schiff/Destatte, "sufficient knowledge to conclude that ten bodies were lying on top of the mountain and one on the face of the cliff." Under a section entitled "Next Steps," Det 2 and the Vietnamese are told to ask "How long did the remains stay at the site? Were the remains moved? If the remains were moved, who moved them; when did they move them; and where did they move them?" So, after being told that her analysis was insufficient to meet an official board authorized to determine fate, she and Mr. Destatte told Det 2 and the Hanoi government the U.S. had concluded all were killed on the mountain! LtCol Schiff and Mr. Destatte believe they are above the rules - that even though they have been told their analysis is flawed, they still presented it to Detachment 2 and the Vietnamese government as an official DPMO position. And with regard to SSgts Springsteadah and Gish, both were last seen by U.S. witnesses as mortally wounded on the west side of the mountain. In an effort to support Mr. Muc's version, Destatte/Schiff now have one of the known bodies placed on the top of the mountain. LtCol Schiff knows this, but allows Mr. Destatte to misrepresent the facts in order to continue to stall any meaningful movement on this case.

28. What are the consequences of this action? Aside from disobeying the instructions of the Chief of Staff and causing DPMO to disavow with CDR JTF-FA their disreputable behavior, the Vietnamese are now told that they need not undertake any further efforts to provide the true circumstances regarding the loss of these eleven Americans. What if some of the men were captured at LS-85? Except for Springsteadah and Gish, we have no strong evidence on the fate of the eleven. However, the Vietnamese have now been assured by Mr. Destatte and LtCol Schiff that Mr. Muc's story has been accepted. When the Plans and Policy officer involved in this issue asked for an explanation as to why this information was faxed to Hanoi he was told that Mr. Destatte is in frequent extra-official contact with his "old-sergeant" network. It is instructive that Mr. Destatte did not send his unauthorized material to the Detachment commander, but rather to retired and active duty sergeants. In addition to this fax, it appears from other records that Mr. Destatte is constantly in touch with these sergeants. What other work is he directing on behalf of DPMO? What other information is he sending to Hanoi? Policy and security concerns would seem to dictate that Mr. Destatte's E-mail and faxes to Hanoi be examined.

29. RECOMMENDATIONS: Mr. Muc should be re-interviewed by a qualified investigator familiar with all of the presently available information on this loss. Stony Beach has exceptionally qualified personnel who are available for this work. Moreover, a Stony Beach investigator could also conduct a complete investigation involving interviews of former sapper team members and regular PAVN forces who served in northeastern Laos at the time of the loss. As our work in Cambodia has clearly demonstrated, qualified investigators can be quite successful in developing leads involving Vietnamese forces. The Vietnamese government should be told that Mr. Destatte's attempts to influence this case are disavowed and the U.S. government requires cooperation and a straightforward explanation. Eleven men, 150 tons of equipment, a dozen

miles from Vietnam, in an area controlled by the Vietnamese army for more than twenty years. Yet, no one in this strictly controlled communist government knows what happened? Our men and equipment just disappeared? The cadre in Hanoi know what happened at Phu Pha Thi, they just hoped that Mr. Destatte and LTC Pham Teo would make this "problem" go away.

30. REFNO 2052 must be assigned to a qualified analyst and all of the information developed over the past three years must be included in the comprehensive review. LtCol Schiff and Mr. Destatte, lacking the ethics and analytical capabilities to perform work in DPMO, should show the good grace to resign. Since this is unlikely to occur, however, DPMO leadership should strongly consider their continuing impact on case resolution. How many other cases will suffer, and never be correctly resolved, due to their actions? Strongly recommend that this memo, along with those prepared by Mr. Rosenau, LtCol Schiff, and Mr. Destatte be provided to the families; they deserve to know the full story.