

## 1992 SENATE SELECT COMMITTEE HEARINGS ON POW/MIAs

### TESTIMONY OF CAROL HRDLICKA

I am Carol Hrdlicka, wife of Colonel David Hrdlicka. -

Chairman and committee Members, I am here today to make the statement in the name of my husband, Colonel David Hrdlicka, who cannot be here because his Government knowingly-and I emphasize knowingly-abandoned him, as evidenced by the testimony before this committee; They denied David the opportunity of knowing his children and his grandchildren. David was a known POW and to this day there is no evidence David has not survived. He was captured by the Pathet Lao on May 18, 1965, his post-capture picture appeared in the Pravda Newspaper in 1966. This is a man that is definitely in good health. I mean, he didn't get banged up bailing out.

He wrote a letter to the Prince Souphanouphong of Laos asking for his release. There was a rescue attempt made in 1966 or 1967 which General Secord testified to before this committee. General Secord also testified there were men still alive as late as 1973. A statement reportedly made by David was recorded from a radio broadcast in Laos. In 1968, David was interviewed by a Russian reporter, evidence that David had survived as late as 1968.

Senators this is my evidence that my husband was alive and survived at least 3 years in the hands of the Laotian Government. There is no evidence that he has not survived to date. In 1977, the Air Force Casualty Office contacted me and advised me that they were going to review David's case, and unless I had any new evidence that he was alive, they were going to declare him dead. I then stated that I had no evidence since I was not allowed access to intelligence.

Why is it that the burden of proof is always on the families? They informed me that they had no new evidence that he had not survived, but they were going to declare him dead anyway. They assured me they would continue investigating his case.

As the years went by, I began reading newspaper articles indicating that there may be POWs still alive in Southeast Asia. I received my first live sighting report in 1990, and then my next one in July 1990, at which point I realized that the Government had betrayed my trust.

David was a dedicated military person. He was prepared for whatever might happen to him as a product of war, but he would never have believed that his own Government would have abandoned him.

David carried a blood chit which I consider to be a contract between David and the U.S. Government, and this is a blood chit, and in English on the blood chit it says, "I am a citizen of the United States of America. I do not speak your language. Misfortune forces me to seek your assistance in obtaining food, shelter, and protection. Please take me to someone who will provide for my safety and see that I am returned to my people. My Government will reward you".

I consider the Government as defaulting on their end of the contract. I have asked the DIA for their help many times to help answer the questions on these reports, as well as follow-ups, but have received nothing but stonewalling from that agency. I have asked to see the DIA's evidence that David had not survived. They tell me they have no evidence to this date that he is not alive. If there is no evidence these men are dead, then why can't we consider this as evidence that they are alive?

Senator Durenberger from Minnesota has made references to David being seen in and around Moscow. The references were made on two separate occasions, the first in 1988 in a speech before some vets at I believe it was an American Legion post, and again-at which time Senator McCain was present, and again in July 1990 on a local television broadcast.

Senator Durenberger has never given us any further information on the basis of his statements, but I have an addendum to my statement here that goes into length on Durenberger's statement. and I also have his speech here, so when the committee was formed we had hopes the committee would get the questions answered.

I began watching the hearings with great interest in November 1991. I intended to watch from my home, but after the second hearing I realized that the important parts may not be televised. They did not televise the Mooney-Minarcin testimony, which I think was critical. I find it very interesting this testimony was not televised. since these men were former members of the NSA and in a position to witness the movements of POWs after capture.

There were many times when the committee seemed truly intent upon getting the answers. Now, almost 1 year later, this committee will come to the only conclusion possible, that the U.S. Government cut the best deal it could and knowingly left American servicemen behind, alive, in Southeast Asia.

If our Government would release the information unredacted, and the pictures of our servicemen being tortured and executed, I believe this Nation would have a consensus that we should deal with them on the issue of normalization as they have dealt with us

in warfare-the brutal execution and torture of anyone or anything that stands in their way and negotiate while the pressure is on the opponent.

This Nation could learn a great deal about negotiating from these people. They know when the time is on their side, and if it's not, they don't negotiate. When it is, they don't budge an inch. If the pressure is not there, time is on their side, and don't be fooled, they know it. If you keep dropping these crumbs, they're going to get the whole cake for nothing and be rewarded for their inhumane practices, and time will kill whichever men remain alive in their hands today.

My concern is that this committee sounds more and more like former committees and Government officials in that if it is inconvenient to have POWs, they redefine them as MIAs.

If the evidence points to live POWs, they change the definition of evidence.

If a one-time holder of the highest classification and keeper of this Nation's most sensitive secrets testifies about live POWs, they will redefine him as unreliable and untrustworthy.

If the numbers of the missing appears to be too great, they will reduce the numbers.

If normalization is unpalatable to the American public, they will call it a road map and allow our corporations to do business in the interim.

If satellite imagery indicates men are signaling with specific distress codes known only to these men, then we dismiss it as a natural phenomenon. Now, could we take a reality break here and apply simple logic?

If they have these men, and in many cases we know they did, where are they? If they kept as meticulous records of shoot downs, subsequent capture and internment, as we know they have throughout history, as we have witnessed first-hand in Senator McCain's case, if they held our men past the end of the war, as they historically have in past conflicts with other powers, where are they?

If they kept them as an insurance or blackmail, why would they not make an effort to keep them alive as some evidence has indicated? If we left them alive, which the evidence clearly indicates, where are they today?

Senator Kerry, why haven't the radio intercepts mentioned in the August hearings been declassified? Also, Senator Kerry, I do not understand your motivation for opening any trade with Vietnam. When we have opened trade with

Laos they still have not cooperated in getting the answers on the POW issue, so when you talk of easing restrictions on Vietnam, you are encouraging the same lack of cooperation. I would pose one more thought to you, and that is, if it is proven that opening the trade doors was a death warrant for our POWs, could you live with that?

Senator Kerry, you offered to help me get to Laos. I have an additional request. Would you be willing to set up a meeting between the family members and the same Vietnamese officials that you met with on your recent trip?

Senator McCain, as a family member, it is of great concern to me that at every occasion you give the Vietnamese the benefit of the doubt instead of the families. Senator McCain, if you were still in captivity, would you not want your family to continue to press for the answers and for your release?

Senator McCain, I would like to remind you, Senator McCain. we are not the enemy. We just feel ~~we~~ we have the right to know the truth about the ones we love.

As family members, we have been lied to and misled. Sir, we don't need a devil's advocate. What we need is someone to get these men home.

And why is the burden of the proof on the families that there are live POWs. The question is not of whether they are alive today or not, but simply, you had them, what did you do with them?

In closing, I want to express my gratitude to Senator Smith and Senator Grassley for their tireless efforts on behalf of the families of veterans and concerned citizens, but most of all on behalf of the servicemen.

Senator Kerry, you and the other Senators of this panel have asked some hard questions and demanded answers. And I thank you for that.

I hope that this committee has the courage and integrity to do what no other administration has to date. I ask the committee to send the following letter to the President and the President-Elect, Clinton.

Dear Mr. President, as a long suffering family member I want to thank you and applaud you for your support of our investigation during the year. Your efforts have helped create the recent breakthrough in access to wartime artifacts and other materials.

I am concerned, however, that the breakthrough and access has

shed light on only a few cases of missing men. If the Vietnamese have flight suits, then they must be able to tell us what happened to the men who wore them.

I am anxious that in rewarding Vietnam's new openness we are in danger of losing perspective on just how little Vietnam actually has done so far to account for our POWs and MIAs during the past 20 years.

In addition, I am concerned that all actions required by law, have not been undertaken so as to secure the release of U.S. POWs that might still be alive. Section 1732 of Title 22 of the U.S. Code, also known as Act July, 27, 1868, 15th Statute 224 provides.

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Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand that government the reason If such imprisonment.

And if it appears wrongful and in violation of the right of American citizenship, the President shall forthwith demand release of such citizen.

And if the release so demanded is unreasonably delayed or refused the President shall use such means, not amounting to acts of war and not otherwise prohibited by law, as he may think necessary and proper to obtain or effectuate the release. And all the facts, proceedings relative thereto shall, as soon as practical, be communicated by the President to Congress.

Therefore, Mr. President, I hereby officially inform you that my husband and other citizens of the United States have been unjustly deprived of their liberty by the governments of Vietnam and Laos. I call upon you to demand the reason for their continued imprisonment, and to demand their immediate release.

In the event that Vietnam and Laos refuse to release our men, I await your report to the Congress on the actions that you have taken to effectuate their release. The law does not require proof of specific identities in any legal or secular sense as a condition for your action, but only that you be informed progress, or economic or diplomatic relations can advance. The requirements of U.S. law first must be satisfied that citizens are imprisoned.

Nor is the law satisfied by accounting of the dead. Intelligence files on live sightings, radio intercepts, and photography overwhelmingly support your duty to demand their release before progress or economic or diplomatic relations can advance the requirements of the U.S law must be satisfied.

I also ask the committee to admit that a mistake was made. The men were left behind alive, and require the Vietnamese to account for their whereabouts. It's not a question of whether there is evidence of live Americans being held against their will or not. The question is, again, you had them what did you do with them? Give them back.

Thank you