

CAROL HRDLICKA  
RT. 1, BOX 24  
CONWAY SPRINGS, KS. 67031  
PH. 316-456-2439 FAX 316-456-2702

December 5, 1994

Department of Defense Hotline  
The Pentagon  
Washington, D.C. 20301-1900

Re: Case #94-L58352

Attachment #1 shows possible misconduct during the Senate Select Committee with the Chairman, Senator Kerry, suggesting testimony before the hearings of the Defense Department personnel. I would think this very improper for the chairman of a committee supposed to be investigating wrong doing of a government agency, to be scripting testimony with the very agency that is being investigated.

Attachment #2 is a memo from Senator Kerry's Staff Director, Ms. Francis Zwenig where she states she's working with D.I.A. on the script. It seems to me this is improper.

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FRAUD AND MISMANAGEMENT IN THE DEFENSE INTELLIGENCE AGENCY,  
PERJURY BEFORE THE SENATE SELECT COMMITTEE, AND FAILURE TO  
FOLLOW REGULATIONS.

(1) FALSE OFFICIAL STATEMENTS: VIOLATION OF ARTICLE 107, UCMJ;  
SECTION 907 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR VIOLATIONS UNDER  
TITLE 18, U.S.C.]

(2) WILLFUL DERELICTION OF DUTY: VIOLATION OF ARTICLE 92, UCMJ;  
SECTION 892 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR VIOLATIONS UNDER  
TITLE 18, U.S.C.]

(3) NEGLIGENT DERELICTION OF DUTY: VIOLATION OF ARTICLE 92, UCMJ;  
SECTION 892 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR VIOLATIONS UNDER  
TITLE 18, U.S.C.]

(4) ACCESSORY AFTER THE FACT: VIOLATION OF ARTICLE 78, UCMJ;  
SECTION 878 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR VIOLATIONS UNDER  
TITLE 18, U.S.C.]

(5) CONSPIRACY TO MAKE FALSE OFFICIAL STATEMENTS: VIOLATION OF  
ARTICLE 81, UCMJ; SECTION 881 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR  
VIOLATIONS UNDER TITLE 18, U.S.C.]

(6) CONSPIRACY TO BE WILLFULLY DERELICT IN PERFORMANCE OF  
DUTIES: VIOLATION OF ARTICLE 81, UCMJ; SECTION 881 TITLE 10, U.S.C.  
[FOR CIVILIANS SIMILAR VIOLATIONS UNDER TITLE 18 U.S.C.]

(7) CONSPIRACY TO BE ACCESSORIES AFTER THE FACT: VIOLATION OF  
ARTICLE 81, UCMJ; SECTION 881 TITLE 10, U.S.C. [FOR CIVILIANS SIMILAR  
VIOLATIONS UNDER TITLE 18, U.S.C.]



ATTACHMENT #1



COMMAND, CONTROL,  
COMMUNICATIONS  
AND INTELLIGENCE

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-3040

October 7, 1992

MEMORANDUM FOR RECORD

SUBJECT: Telephone Call from Senator Kerry

At 1230PM on October 7, 1992, Senator Kerry, Chairman of the Senate Select Committee on POW/MIA Affairs, called for Assistant Secretary Andrews. As he was at lunch, Senator Kerry asked for me. This was a conference call and included Ms. Francis Zwenig, Staff Director of the Senate Select Committee on POW/MIA Affairs.

He cited the POW/MIA intelligence material released on NBC last evening [Dateline] and the leaks in the press [Evans & Novak, etc.] and said that he was very upset.

Senator Kerry was very emphatic that this has gone too far and that the Department has an obligation to take on the issue. We cannot continue to keep our arms tied behind our back. He said that we need to do at the hearing next week [October 15 and 16] what we did at the last meeting [Monday, October 5]. Bring a blow up of the photographs of the "USA" and "K" symbols and show that the "K" is not a K and that it does not have walking feet. Have Mr. Gadoury explain how the USA could have been made. He stressed that unless we answer this attack directly the leakers will win and they will be able to claim "everyone knows" it was made by a POW. "We need to demonstrate reality." "Put a lie to it." The Secretary should make a one-time exception on the photography—show a blow up of the actual photograph (symbol portion) on TV.

He said that we have been repeatedly attacked by those who do not want to deal with reality. Each time we answer they find something new to raise. If we are ever going to stop this we need to demonstrate convincingly what the real thing looks like. Openness will take the wind out of their sails.

He urges the Department to come on very strong: "We are appalled. These leaks jeopardize any American in captivity who would try to signal. It is dishonest to leak information obtained in closed hearings knowing the Department cannot discuss intelligence sources and methods in public. We took responsible actions as soon as we found this symbol."

I raised our concern with discussing intelligence in public as we have global responsibilities that we cannot jeopardize. He agreed that this is difficult but that in this one case we need to find a way to take on the issue, find some way to lay out the issue.

Concerning the hearing, he agreed that a script would be unwise and recommended Mr. Andrews just "come on strong—appalled."

He stressed that he wants to work with us but reiterated that it is time for us to take on the issue.

Ronald J. Knecht



ATTACHMENT #2

10/6

Memorandum



Frances A. Zwenig  
Staff Director  
Select Committee on POW/MIA Affairs  
(202) 224-2306

OKAY

— YES

JK

— NO

LOOKS LIKE  
AUTO METRICS FULLS  
BILL FOR EXPERT ON  
IMAGERY —

I AM WORKING ON  
THE SCRIPT W/ DIA.