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SUBCOMMITTEE ON TRADE
OF THE
COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES

WRITTEN COMMENTS
ON THE
EXTENSION OF NORMAL TRADE RELATIONS TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC



NOVEMBER 4, 1999

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ADVISORY

FROM THE COMMITTEE ON WAYS AND MEANS

SUBCOMMITTEE ON TRADE

FOR IMMEDIATE RELEASE

CONTACT: (202) 225-6649

July 29, 1999

No. TR-14

Crane Announces Request for Written Comments on the Extension of Normal Trade Relations to the Lao People's Democratic Republic

Congressman Philip M. Crane (R-IL), Chairman, Subcommittee on Trade of the Committee on Ways and Means, today announced that the Subcommittee is requesting written public comments for the record from all parties interested in the extension of permanent normal trade relations (NTR) to the Lao People's Democratic Republic (Laos).

BACKGROUND:

At present, Laos is listed in general note 3(b) of the Harmonized Tariff Schedule (HTS) among those countries that are denied normal tariff treatment. As a result, Lao products are subject to the higher tariff rates in column 2 of the HTS, which has the practical effect of excluding Lao products from the U.S. market. Legislation is required to amend the HTS in order for NTR to be extended to the products of Laos. Laos is not subject to Title IV of the Trade Act of 1974 (the "Jackson-Vanik amendment") because it did not become a Communist country until after the effective date of that law.

In 1997, the United States concluded a bilateral trade agreement providing market access for U.S. goods and services in the Lao market and protection of intellectual property rights. In addition, the United States reached agreement with Laos in 1997 on a bilateral investment treaty, the first to be negotiated with a Southeast Asian country, to provide U.S. investors with the right of national treatment.

In 1998, U.S. imports from Laos were valued at \$21 million, while U.S. exports totaled \$3.7 million. Top imports from Laos in 1998 were miscellaneous manufactured articles, while leading U.S. exports included chemicals, and machinery and transportation equipment.

DETAILS FOR SUBMISSION OF WRITTEN COMMENTS:

Any person or organization wishing to submit a written statement for the printed record should submit six (6) single-spaced copies of their statement, along with an IBM compatible 3.5-inch diskette in WordPerfect 5.1 format, with their name, ad-

dress, and comments date noted on label, by the close of business, Friday, September 10, 1999, to A.L. Singleton, Chief of Staff, Committee on Ways and Means, U.S. House of Representatives, 1102 Longworth House Office Building, Washington, D.C. 20515.

FORMATTING REQUIREMENTS:

Each statement presented for printing to the Committee by a witness, any written statement or exhibit submitted for the printed record or any written comments in response to a request for written comments must conform to the guidelines listed below. Any statement or exhibit not in compliance with these guidelines will not be printed, but will be maintained in the Committee files for review and use by the Committee.

1. All statements and any accompanying exhibits for printing must be submitted on an IBM compatible 3.5-inch diskette in WordPerfect 5.1 format, typed in single space and may not exceed a total of 10 pages including attachments. Witnesses are advised that the Committee will rely on electronic submissions for printing the official hearing record.

2. Copies of whole documents submitted as exhibit material will not be accepted for printing. Instead, exhibit material should be referenced and quoted or paraphrased. All exhibit material not meeting these specifications will be maintained in the Committee files for review and use by the Committee.

3. A witness appearing at a public hearing, or submitting a statement for the record of a public hearing, or submitting written comments in response to a published request for comments by the Committee, must include on his statement or submission a list of all clients, persons, or organizations on whose behalf the witness appears.

4. A supplemental sheet must accompany each statement listing the name, company, address, telephone and fax numbers where the witness or the designated representative may be reached. This supplemental sheet will not be included in the printed record.

The above restrictions and limitations apply only to material being submitted for printing. Statements and exhibits or supplementary material submitted solely for distribution to the Members, the press, and the public during the course of a public hearing may be submitted in other forms.

Note: All Committee advisories and news releases are available on the World Wide Web at '[HTTP://WWW.HOUSE.GOV/WAYS_MEANS/](http://WWW.HOUSE.GOV/WAYS_MEANS/)'.



AMERICAN LEGION
WASHINGTON, DC 20006
September 8, 1999

Honorable Philip M. Crane, Chairman
Subcommittee on Trade
House Committee on Ways and Means
*1102 Longworth House Office Bldg.
Washington, D.C. 20515*

Dear Chairman Crane:

The American Legion opposes the granting of the Jackson-Vanik waiver to Laos. We believe that the Lao government is not doing as much as it could to seek the resolution of the POW/MIA issue. The opportunities offered from Jackson-Vanik to U.S. business should not be granted until the Lao government shows notable improvement in their assistance with U.S. accounting efforts.

As with Vietnam, we believe that the United States should not let commercial interests take priority over the accounting of our missing servicemembers. The Lao will lose the incentive to increase cooperation with accounting efforts if they see that the current U.S. Administration is dedicated only in words and not in deeds.

The Pathet Lao have yet to unilaterally provide credible information on American POWs last known alive in their control. Although U.S. officials, veterans and family organizations have for several years urged the Lao government to commence an oral history program in order to elicit information that would be helpful in resolving cases, questionnaires have just recently been developed and distributed. As of now there is no guarantee that any significant information will be forthcoming.

Joint Task Force—Full Accounting is carrying out joint field activities in Laos in cooperation with the Lao government, although it is being done on a restricted—North to South—basis. The Lao have permitted a few exceptions to this, but for the most part hold to the restricted pattern of operation. Aside from the joint field activities, there is a paucity of unilateral cooperation on the part of the Lao government to provide information to resolve cases and repatriate remains of missing Americans.

Unless and until the Lao government is held accountable by the Clinton Administration, there is no reason for Vientiane to exert any meaningful unilateral cooperation. Until this happens, we cannot support the Jackson-Vanik waiver.

Sincerely,

JOHN F. SOMMER, JR.
Executive Director

Statement of Charles Andreae III

Having represented clients internationally for 10 years, I can appreciate the value of extending Normal Trade Relations in an effort to promote free trade. I have seen firsthand the positive aspects of granting Normal Trade Relations which help to achieve American interests overseas.

Laos presents new opportunities for many American businesses seeking to expand their foothold in Asia. These opportunities in the Laotian market will create new jobs in the United States, foster closer diplomatic relations, and enable Laos to continue down the path of further economic liberalization.

To protect its interests in peace and stability and access to markets in Asia, the U.S. must create an environment that encourages Laos to integrate into the international system as a responsible member. Given population trends in Asia, Laos is certain to have an impact on the international system and American interests in Asia. For Laos to become a full participant in the international system and uphold international rules and norms, Laotian leaders must see that doing so will best serve Laos' interests. This can be accomplished only if Americans interact with, rather than isolate, Laos. Establishing Normal Trade Relations provides the interaction necessary to bring Laos into greater conformity with international rules and norms especially now when the Laotian government continues its New Economic Mechanism.

Furthermore, by granting Normal Trade Relations to Laos, the United States is showing a continued commitment to the Association of Southeast Asian Nations (ASEAN), a group which encompasses 500 million people with a combined \$1 trillion dollar gross domestic product and a two way trade with the U.S. of over \$250 billion.

Normal Trade Relations with Laos would provide a firm foundation for a healthy and growing American economy. NTR would also help promote a stable and secure world in which political and economic freedom, human rights, and democratic institutions can flourish. These interests allow the U.S. to maintain a system of healthy, cooperative, and politically vigorous relations with allies and friendly nations and Laos is no exception to this rule.

NTR for Laos will play a fundamental role in advancing these enduring American interests in Asia. Most-favored-nation treatment is the normal tariff treatment that the United States provides to all but a handful of its trading partners. It is a principle which undergirds the open international trading system that the U.S. has labored for decades to expand. NTR has been, in fact, a key ingredient of America's global strategy since World War II and the purpose of this strategy has been to build a cooperative free-trade environment within which America's businesses and economy can prosper.



**Statement of Hon. Mark Green, a Representative in Congress from the
State of Wisconsin**

As the Subcommittee on Trade considers this controversial issue, I believe it is essential that the committee members be aware of a serious situation involving a constituent of mine—Mr. Houa Ly of Appleton, Wisconsin.

Nearly five months ago, Mr. Ly disappeared near the Thai-Lao border. According to eyewitnesses who were traveling with Mr. Ly, Lao government authorities are responsible for this disappearance.

These eyewitnesses have shared with me the following account of Mr. Ly's disappearance:

On April 19 of this year, a party of four Hmong-American men—Mr. Houa Ly, Mr. Michael Vang, Mr. Neng Lee and Mr. Hue Vang—were traveling in Thailand near the city of Chiang Khong. The group, having been advised that the nearby Thai-Lao border was open to tourists and the public, crossed the Mekong River into Laos.

Once across the border, the party split into two groups. Mr. Ly and Mr. M. Vang began speaking to several men, some of whom identified themselves as authorities in the Lao government. Mr. Lee and Mr. H. Vang briefly left the area. When they returned, Mr. Ly and Mr. M. Vang were missing.

After a brief search, Mr. Lee and Mr. H. Vang witnessed Mr. Ly and Mr. M. Vang being forced onto a boat by Lao men. The boat, with Mr. Ly and Mr. M. Vang aboard, sped away on the Mekong River. Mr. Ly and Mr. M. Vang have not been heard from since.

On May 4, upon their return to Chiang Mai, Thailand, Mr. Lee and Mr. H. Vang reported this incident to the American Consulate. Two days later, according to Mr. Lee and Mr. H. Vang, an American official from the consulate informed them he had received reports that both men had been imprisoned and that Mr. Ly may have been killed.

Subsequent independent reports have indicated that the two men are currently imprisoned by Lao government authorities.

Although the Lao government continues to deny any knowledge of Mr. Ly's entry into Laos or his current whereabouts, I believe they have not been completely forthcoming with U.S. authorities charged with investigating this case.

At best, the communist Lao government has been less than fully cooperative in this situation. At worst, individuals who are authorities of the Lao government are responsible for the seizure—and possibly the execution—of U.S. citizens traveling abroad. The latter would represent a grave and reprehensible act against citizens of the United States.

The Lao government's actions surrounding this case must be taken into account when reviewing possible Normal Trade Relations status for the Lao People's Democratic Republic. It is my belief that this case is yet another piece of a larger body of strong evidence demonstrating that Laos is not yet ready to join the family of nations enjoying NTR status with the United States.

**Statement of Xiong Chuhu, Executive Director, Hmong International
Human Rights Watch, Chicago, Illinois**

Chairman Crane and Members of the Subcommittee. My name is Xiong Chuhu, Executive Director of Hmong International Human Rights Watch. Our organization represents Hmong victims of human rights abuse, so everything I have to say is on their behalf.

To understand the Hmong people's problems in Laos today it is important to point out their role during the Vietnam War. Since the Hmong population was located in a very strategic place along the mountainous Laos/Vietnam border, many thousands of Hmong were recruited by the Central Intelligence Agency to fight against the invading North Vietnamese Army (NVA). The Hmong became known as the C.I.A.'s "secret army" and were formed into Special Guerilla Units, which were used to sabotage enemy supply lines along the Ho Chi Minh Trail, call in bombing strikes, and help rescue downed American pilots. This was all done at great risk to the Hmong. Towards the end of the war, the Hmong had suffered so greatly that they had to sacrifice children as young as 10 years old to become soldiers, since many of the older recruits had either been killed or wounded. The Hmong have been credited with tying up 2-3 of the NVA's best fighting divisions, which would otherwise have been used to fight against American soldiers in South Vietnam.

Though the Vietnam War ended nearly 25 years ago, the genocide of the Hmong continues to this very day throughout the jungles of Phou Bia mountain and the surrounding countryside.

In 1975, the newly formed Lao People's Democratic Republic (LPDR) renamed the Hmong homeland region of Phou Bia, Muang Cha, Muang Om, and the Hmong capitol of Long Cheng (all formerly located in Xieng Khouang province), and designated this area Saysomboun Special Zone (See map—Attachment A). No foreigners or international monitors have been allowed access to this region for the past 25 years. The LPDR has used this secluded area to launch repeated military assaults against these displaced Hmong. Since 1975, over 40,000 Hmong have been killed here and another 60,000 have been displaced into the jungles of Phou Bia. The former Hmong capitol of Long Cheng has been completely wiped out and is now overgrown with dense forest. At present, there are still more than 10,000 Hmong hiding out in the Phou Bia area waiting for the Hmong Killing Fields to end (See video tape—Attachment B).

In 1979, the LPDR launched heavy military attacks and used chemical weapons against the Hmong living in this area. Again, in June 1990, the LPDR launched more air attacks inside Saysomboun Special Zone. In February 1998, the LPDR began another series of artillery attacks. The war has ended but the Killing Fields of the Hmong continues to this very day. Recently, the LPDR has installed 3 new military camps at Phou Bia mountain, so the killing of the Hmong people continues on and on. The Lao military has moved in and destroyed all the Hmong rice fields and has turned them into mine fields. On May 25, 1998, an aircraft carrying 26 high ranking Vietnamese and Lao military leaders crashed in Saysomboun Special Zone. They were in the process of planning genocidal attacks against the Hmong population taking refuge in this area. Again, in July 1999, the LPDR began launching heavy military attacks to wipe out the total Hmong population taking refuge in the Phou Bia jungles of Saysomboun Special Zone by the year 2000. This ongoing genocide of the Hmong people must stop! The international community must immediately intervene to save the Hmong civilian population.

Although the lowland Lao have freedom of movement within the country, this is not so for the ethnic Hmong. For example, the Hmong at La Khai camp, Xieng Khouang province, and those in Muang Cha, Muong Ong, and Muong Ao, Saysomboun Special Zone are not allowed to move outside of these areas. Whoever is caught will either be tortured, imprisoned, or killed. An example of this is Boua Vang Lee who was killed by LPDR police officers Thao Khaman and Thao Khamkeuth on October 20, 1996. After he was killed, his father, his wife, his younger brother, two of his sons, and six Hmong village chiefs sued the LPDR government asking for 9,379,600 kip (equivalent to \$13,400 U.S. dollars) in compensation for funeral costs and the loss of his life. The LPDR later retaliated against his family killing his wife and crippling his little 2 year old son in January 1998, just because of the lawsuit that was filed. Because of the continuing intimidation by the LPDR government they can no longer safely follow through on the case, so have asked our organization to bring their it to the attention of the international community. We are requesting that the LPDR should pay \$1 million in damages to cover the expenses of the funerals and the loss of life of Boua Van Lee and See Xiong, along with the permanent crippling of his young son and the psychological trauma that

the family has been put through and continues to face to this very day. (See photos of Boua Van Lee and his wife & son—Attachment C)

We are requesting that international monitors, along with Hmong International Human Rights Watch, be granted official unrestricted access to Saysomboun Special Zone so that the Hmong Killing Fields may be put to an end. There has been no durable solution to this problem for almost 25 years. Why? It is because this issue has never been properly addressed. The United States must play a critical role in pressuring the Lao government to withdraw its troops from Saysomboun Special Zone before any consideration of granting Normalized Trading status to Laos.

The LPDR has gone all out to promote this year and next year as “Visit Laos Year” to attract many foreign tourists from different countries. It is ironic, for the past 25 years thousands of its own Hmong citizens are still blacklisted and not allowed visas to enter the country. It is still impossible for Hmong Americans to do business in Laos because of the continuing discrimination by the Lao government. We request that this blacklist of Hmong, who have resettled in a second or third country, be made available to the U.S. Department of State and Hmong International Human Rights Watch, along with the reason why these Hmong are not allowed visas to enter the LPDR.

Those who attempt to operate a business are later bamboozled out of their investments and kicked out of the country. Some good examples of this are the cases of James Xiong (Classic Travel), Lilly Thao and Dr. Sam Thao (brick factory), Doua Yang (foundry factory), Mr. Seng Moua and Mr. Doua Yang (Ban Phak Seng Souk hotel), Bee Xiong (car imports to Laos), etc. We request that these businessmen/women be brought to testify in front of the Subcommittee on Trade so that you can hear from their real life experiences. Our organization would be more than glad to contact these people to testify. The LPDR laws change from day to day on the whims of officials. Tactics such as bribery and intimidation are a very common practice. At the moment there are no such laws in the LPDR which protect foreign investments. An Arbitration Committee should be formed consisting of the U.S. and LPDR governments, Hmong International Human Rights Watch, along with foreign investors before any kind of Normalized Trading Relations are established. Any type of dispute between foreign investors and their Lao counterparts must be arbitrated under this committee. This is the only way the investment capitol of foreigners can truly be protected. In the past, the LPDR government and Lao business counterparts always used various tactics to frame foreign investors, kicking them out of the country and taking over their business assets.

The Hmong are still being denied equal access to education. Hmong students do not have the opportunity to travel abroad for higher education even though many lowland Lao are allowed this luxury. Comparing the Hmong population in the U.S. to the lowland Lao population in the U.S. there is a noted higher percentage of Hmong possessing high level degrees. This achievement shows what great value the Hmong place on education and should be reflected in the number of Hmong candidates in Laos allowed to study abroad. At the present time, Hmong written language is not allowed to be taught in public schools. This should be changed so that the Hmong language can be taught at any public school.

Discrimination against the Hmong goes beyond just party politics. We have documented many cases of high ranking Hmong LPDR officials who have either been imprisoned, tortured, killed, or forced to step down from their positions for no other reason than being ethnic Hmong. Boua Chong Lee, who is currently being held in a Lao prison, is a good example of this. He was the former LPDR military leader of Luang Prabang province until being forced into retirement. He stated that “now the situation for the Hmong in Laos is much worse than it was for the Hmong during French colonial times” [quoted just before his arrest July 1995—videotape in the possession of H.I.H.R.W.]. Boua Chong Lee was severely beaten then arrested just because he voiced his opinion about how the LPDR treats the Hmong minority. Other Hmong who are currently in jail without a trial are: Vue Mai, Yang Va, Boua Yeng Vang, Wa Kou Vang, Houa Lee, and Michael Vang. These prisoners should be immediately released before Normal Trade Relations are granted to Laos. (See photos of high level prisoners who need to be immediately released—Attachment D)

The lingering problem of the remaining 30,000 Hmong refugees living in Thailand has not been effectively addressed. This is because their situation is directly related to the current political climate in Laos. The reason these 30,000 Hmong are now living at Wat Thamkrabok (15,000), Khet Noy village, Phetchaboun (6000), Tak, Chiang Rai, and other provinces in northern Thailand is because they left the UNHCR sponsored refugee camps. Why did they leave the safety of the refugee camps? They left the camps because of a legitimate fear of forced/coerced repatriation. There are also over 1100 Hmong refugees still living in Napho refugee camp. They too fear repatriation. Part of this is due to the ongoing problems Hmong are

having with their land allocations at Ban Pha Thao. The UNHCR and the LPDR have also not fulfilled their promise to the Hmong returnees at Ban Na Saat repatriation site. In 1994, these refugees returned from Napho refugee camp because an irrigation project and electricity were promised to them by the UNHCR and the LPDR. They must fulfill these promises. These Hmong returnees are also discriminated against by special marks on their LPDR citizen I.D. cards, which disables them from fully integrating into Lao society. They cannot obtain government employment, nor engage in business ventures, nor continue higher education, plus they also have travel limitations. (See Hmong returnee I.D. card—Attachment E). We request that this discriminatory I.D. card be immediately abolished for the more than 27,000 repatriates before Normal Trading Relations with the LPDR is established. A new and non-discriminatory I.D. card should be issued to all Laotian citizens.

Before Normal Trade Relations are granted to Laos the LPDR must withdraw all of their troops from Saysomboun Special Zone. The above refugees should be escorted and protected by the UN Army so that they can return to their homeland at Saysomboun Special Zone. They should also be helped out financially with their resettlement.

The major problem, and again I have to really stress this important point, is the unresolved issue of Vue Mai's disappearance in Laos. Vue Mai was the former leader of Ban Vinai refugee camp. He agreed to support the repatriation program and return to Laos only after the UNHCR had guaranteed his and the other returnees safety. By doing this he took an immense and unselfish risk so that the UNHCR's Hmong repatriation program would run smoothly.

Therefore, it is essential that the United Nations seriously follow up on the investigation of Vue Mai's case. This can be done by first making use of the confidential report Hmong International Human Rights Watch has sent to the U.N. in Geneva (received by UNHCR Oct 22, 1998), which details events leading up to the time of Vue Mai's arrest by the LPDR's secret police. We are also requesting a list from the UNHCR of all the Hmong refugees who have repatriated to Laos, so that we can check to see how they are doing. Vue Mai must be released from prison before any attempts to Normalize Trading Relations with the LPDR. The Vietnamese, Laotian, and Cambodian refugee problems have been solved, but the issue of the Hmong refugees is still not solved and never will be until Vue Mai is released from prison.

Hmong International Human Rights Watch is strongly opposed to Normalized Trading Relations or Most Favored Nation trading status with the Lao People's Democratic Republic unless all of the above conditions are met with first.

Sincerely,

XIONG CHUHU,
Executive Director

[Attachments are being retained in the Committee files.]

ILLUMINATION TECHNOLOGIES, INC.
EAST SYRACUSE, NY 13057
September 8, 1999

Chairman Philip M. Crane
Subcommittee on Trade
U.S. House of Representatives
*1102 Longworth House Office Building
Washington, DC 20515*

Subject: Extension of normal trade relations (NTR) to Laos

Dear Chairman Crane:

I am writing you to ask for your help in seeking the extension of normal trade relations (NTR) for Laos.

I am a chemist and an entrepreneur. Asia is our largest foreign market accounting for a third of the company's revenues. I am also a partner in another company, in Syracuse, specializing in developing advanced illumination instrumentation for use in machine vision applications—namely, automated manufacturing processes. I also have interests in other businesses. Southeast Asia is a significant market for the products of these enterprises that employ Americans and bring wealth to the U.S. Laos is a part of the Southeast Asian market. I plan to invest in Laos.

I strongly urge you and the members of the Subcommittee on Trade to grant Laos normal trade relations (NTR) for the following reasons:

The United States and Laos have maintained uninterrupted diplomatic relations in the last four decades. Despite severe destruction to Laos resulting from heavy bombardment by the US during the war, Laos has cooperated fully with the US in finding its MIA's and a plethora of other issues. NTR will foster a closer tie between the two countries.

The US has signed a favorable trade agreement with Laos that the US has been unable to obtain from any other country in Southeast Asia. Without NTR, this trade agreement has remained ineffective. Without legal protection or the protection of the US, small US investors such as myself have been unable to invest in Laos.

Yet, without acceptance from Congress, Laos has extended to US companies large economic concessions—especially in natural resources exploration and development—making the US the second largest investor. NTR will open Laos for further concessions and maintain the US as both a major benefactor and beneficiary of a developed Lao economy.

Though, presently undeveloped, Laos is the crossroads of a huge market: China to the North, Vietnam to the East, Cambodia to the South, and Thailand and Burma to the West. Laos is developing a free-market economy. Its border is now fully open. With half a million expatriates of Laos as US citizens, the US is presented with a unique advantage to compete by utilizing her enormous economic and political assets and the direct link of its citizens with the citizens of Laos.

I have seen products in the US market that were produced in Laos, but packaged in Thailand. As such, these products have benefited Thailand, but not the people of Laos and the American consumers because the producers in Laos were paid very little and the American consumers had to pay much higher prices. With NTR, these and other products can be made in Laos and shipped directly to the US at a better price for both the people of Laos and the American consumers.

Laos' strategic location as a buffer state between China and Southeast Asia dictates a geopolitical consideration. Laos presents no threat to the US. Laos is simply an unexplored asset with a substantial reserve of natural resources, but sandwiched between powerful rivaled neighbors. A well-to-do, stable and secure Laos will create and preserve stability in Indochina and the region. An economically disadvantaged Laos will be conducive to political instability and vulnerable to outside destabilizing influences—specifically from regional contending powers. NTR will extend to Laos, in the eyes of other nations, the full recognition and partnership of the Superpower (the US). Furthermore, it will provide Laos with the necessary resources to solidify her economy and strengthen her territorial integrity and sovereignty.

Despite the lasting effects of war, in the last 25 years, Laos has taken steps to improve itself:

- Adopting a constitution written by an American law expert.
- Introducing democratic reforms with a parliament and universal suffrage at its core. The people of Laos now choose their representatives. Further reforms are on the way.
- Introducing law and order as its basic operating system.
- Bringing its minorities to share power in the government.
- Joining the international community through various organizations, including ASEAN, thus accepting the international standards and codes of conduct.
- Introducing a free-market economy and establishing trade links with countries around the world. Laos is integrating itself into the global economy.

It has to be clear that, after 1975, as the result of the flight of its citizens to other countries, Laos was left with an enormous brain drain. Its intellectual, technical and entrepreneurial capacity was devastated. Laos lost almost its entire educated population. The leadership of Laos came out of the jungles after two decades of war with guns and bullets, but had no experience managing a modern nation or economy. Laos had to start from scratch. Despite continuing security problems, Laos has opened up its border and striven to join the rest of the world. Undeniably, Laos still has much to improve. Equally undeniable, Laos has made substantial progress in the last 25 years despite enormous hardship.

As a Hmong-American having countless number of relatives in Laos, only a prosperous Laos can improve the quality of their lives. Only a peaceful Laos can prevent human rights violations. An internationally involved and open Laos will be subject to international standards and scrutiny, thus ensuring greater freedom and better treatment to its citizens.

NTR for Laos will clearly and unequivocally demonstrate not only a good will and a moral imperative, but moreover, an unmistakable signal of US's willingness to assist Laos in its painful attempt to raise the living standard of the people, to partici-

pate fully in the family of nations, and to advance democracy and stability in Laos and the entire region.

I have learned that Congress failed to approve NTR for Laos the last time due to questions regarding human rights violations. Certainly, there are bound to have human rights violations in any country at the level of development of Laos. These issues must be addressed by the government of Laos. The international community must hold the leaders of Laos responsible. However, the larger questions still beg for answers:

- How can any society at subsistence level (where self-preservation is the order of the day) avoid violence? It cannot. Violence breeds abuses and impedes democracy.
- How can a country confronting with the remnants of internal strife and external hostilities avoid the use of force and therefore the abuses of human rights? It cannot. Peace and security are the basis to uphold human rights.
- Next, how can the denial of NTR to Laos stop human rights violations? It cannot and in fact it promotes the abuses by depriving the people of Laos the means to develop and to empower themselves.
- By denying NTR to Laos, who are being penalized? Definitely, not the few old leaders of Laos, but the people of Laos. By keeping the people poor, uneducated and weak, the power of the few leaders is reinforced. The people of Laos ought not be held hostage because of the leaders of Laos. These leaders will soon be gone. The people of Laos will forever remain.
- What can NTR do for Laos? Laos has a very small economy and is considered one of the poorest countries in the world. NTR will foster substantial trade and investment by Hmong/Lao-Americans and others in Laos. By also increasing trade with the US, the people of Laos will earn the resources and capacity to develop Laos. Development is the key to the preservation of human rights and the upholding of democratic values.

I was a Hmong refugee from Laos who had lost many loved ones while trying to escape to Thailand, I am therefore well qualified to speak against Laos. Yet, I believe that the people of Laos and the American people are best served by improving relations, but not the continuation of a policy of alienation and estrangement. Economic reliance on trade with the US will empower the US to deal more effectively with the government of Laos. By contributing to the development of Laos through strong trade relations and political engagement, the US and the Hmong/Lao-Americans will be in a much stronger position to influence and shape the future of Laos.

The large majority of the half million Hmong/Lao-Americans, like all Americans through history, now wish to see a better life and future for their fellow brothers and sisters in the old country. They also wish closer relations between their country, the US, and their motherland, Laos. NTR is a step in the right direction.

The rate of democratic reforms in Laos rests upon the rate of its human resources and economic developments. NTR is essential in accelerating the process. I am now asking for your support and the use of the power of your office as Chairman to impress upon your fellow committee members and the members Congress to approve the extension of normal trade relations (NTR) to Laos.

My profound thanks for your help.

Respectfully,

TENG LEE
Chairman, Illumination Technologies, Inc.



JBC INTERNATIONAL
August 2, 1999

A.L. Singleton, Chief of Staff
Committee on Ways and Means,
U.S. House of Representatives
*1102 Longworth House Office Building
Washington, DC 20515*

Dear Mr. Singleton,

Pursuant to the request of the Honorable Phillip M. Crane, Chairman of the Subcommittee on Trade of the Committee on Ways and Means, JBC International submits comments in support of the extension of unconditional normal trade relations (NTR) to the Lao People's Democratic Republic.

JBC International is a trade-consulting and lobbying firm that provides government relations services to businesses worldwide. We extend representation and advocacy services to businesses and governments throughout the world. JBC International builds industry and government coalitions to leverage trade negotiations. Most importantly, we promote the removal of trade barriers and the opening of foreign markets.

Extending normal trade relations to the Lao People's Democratic Republic could only benefit the US. Laos imports approximately \$3.7 million annually in chemicals, machinery and transportation equipment from the United States. The Lao PDR also has several investment opportunities in transportation, energy, contracts, private property, inheritance, state banking, accounting insurance, and labor relationships. In addition to current import and investment opportunities, the government has allowed the privatization of state owned enterprises, which may be acquired by foreign and domestic organizations.

The country also holds significant deposits of natural resources. Approximately 47% of the country is forested with a variety of commercial species which may be used easily for commercial production. Gem deposits include sapphire, zircon, and amethyst. Valuable mineral deposits include gold, iron ore, tin, potash, limestone, silver, lead, zinc, copper, bauxite, coal and lignite.

The Lao PDR shares borders with Thailand, Vietnam, Cambodia, and China. Extending normal trade relations to Laos would increase US trade stability and indirectly improve opportunities for trade to neighboring countries and improving diplomatic relations in the region. Therefore, US business relations are not the only benefit of extending normal trade relations with the Lao People's Democratic Republic.

We thank you for the opportunity to express our comments in support of the extension of normal trade relations to the Lao People's Democratic Republic. Extending NTR is one more important step to becoming a global free market economy.

Yours Truly,

JAMES B. CLAWSON
Chairman and CEO



LAO HUMAN RIGHTS COUNCIL, INC.
 EAU CLAIRE, WI 54702
 September 2, 1999

The Honorable Bill Archer, Chairman
 House Ways and Means Committee
 The Honorable Philip Crane, Chairman
 Subcommittee on Trade

U.S. Senators, U.S. Senate

and,

Other Members of the U.S. Congress
 U.S. House of Representatives
 Washington, D.C. 20515

Dear Chairmen Archer and Crane, U.S. Senators, and all Members of the U.S. Congress:

On behalf of the Hmong and Lao American people and communities whom we represent in the United States, we are hereby inform, request and appeal to the U.S. Congress to reject and denounce the granting of "Permanent Normal Trade Relations" (NTR) and economic and foreign assistance to the Communist Lao government of the Lao People's Democratic Republic (LPDR) because of the following reasons:

- Witnesses and other people in Laos have reported that the Communist Lao government and the Communist Vietnamese government killed more than 300,000 people in Laos in the past 24 years. Those witnesses and other people in Laos have continued to report that the war, killing fields, genocide, human rights violations and oppression against Hmong and Lao people are still going on in the countryside in Laos today.

- Witnesses in Laos reported that the Communist Vietnamese government and the Communist Lao government are conducting "biological and chemical weapons warfare" and an ethnic cleansing war against Hmong and Lao people in Laos today.

- Witnesses in Laos reported that the Communist Vietnamese government, the Russian government, and other governments have been providing and supplying biological and chemical weapons, military materials, weapons, guns and equipment to the Communist Lao government to conduct war and genocide against Hmong and Lao people in Laos.

- Witnesses in Laos reported that Mr. Latsami Khamphoui, Mr. Feng Sakchittaphong, Mr. Pang Thong Chokbeengboun, Mr. Wang Kou Vang, Mr. Boua Yeng Vang, Mr. Nhia Yee Yang, Mr. Youa Pao Herr, Mr. Youa Her Vue, and Mr. Xia Dang Thao are nine (9) of the 25,000 Hmong and Lao political prisoners in Laos today.

- Witnesses in Laos reported that the Communist Lao government is seeking foreign aid and assistance in order to finance the Communist armed forces to conduct an ethnic cleansing war against people in Laos, especially the Hmong ethnic group. Therefore, the U.S. Congress must not grant Permanent Normal Trade Relations and economic and foreign assistance to the Communist Lao government.

- Witnesses in Laos reported that the Communist Lao government committed "international terrorism" against Mr. Houa Ly and Mr. Michael Vang in April 1999. These two gentlemen are Hmong American citizens.

- Witnesses in Laos reported that the Communist Lao government has committed "crimes against peace and crimes against humanity and war crimes" in Laos.

- The Communist Lao government has violated the Vientiane Agreement on Laos of 1973 and international human rights law. Witnesses in Laos reported that there are about 30,000 to 70,000 Vietnamese soldiers and advisers who assist, support, and direct the Communist Lao government to conduct war against Hmong and Lao people in Laos.

NINE-POINT PROPOSAL FOR PEACE AND HUMAN RIGHTS

The U.S. Congress should consider the following nine (9)-point proposal for peace and human rights for people in Laos:

1. The U.S. Congress must not grant Permanent Normal Trade Relations nor economic and foreign assistance to the Communist Lao government and Communist Vietnamese government because these two governments have committed "war crimes, crimes against peace and crimes against humanity" in Laos.

2. We appeal to the U.S. government and the United Nations to demand that the Communist Lao government, Communist Vietnamese government, Russian government and other governments must immediately and unconditionally stop the use of biological and chemical weapons warfare against Hmong and Laotian people in Laos.

3. We appeal to the U.S. government and the United Nations to investigate and stop the ethnic cleansing war, genocide, oppression and human rights violations against Hmong and Laotian people in Laos.

4. We appeal to the U.S. government and the United Nations to bring the Communist Lao government and its Communist leaders, officials, agents, supporters and conspirators and the Communist Vietnamese government and Communist Vietnamese leaders and officials to the International Military Tribunal Court (World Court) to trial for "war crimes, crimes against peace, and crimes against humanity" against Hmong and Laotian people in Laos.

5. We appeal to the U.S. government, International Red Cross and international relief agencies and human rights organizations and international communities, and to the United Nations to send food and medical supplies, and to provide other basic human needs to those Hmong and Laotian people who escaped and have been living in the countryside because of Communist oppression, terrorism, genocide, the killing fields, ethnic cleansing war, human rights violations and biological and chemical weapons warfare committed by the Communist Lao government and the Communist Vietnamese government.

6. We appeal to the U.S. government, United Nations, and international human rights organizations to demand the Communist Lao government to release Mr. Latsami Khamphoui, Feng Sakchittaphong, Wang Kou Vang, Nhia Yee Yang, Boua Yeng Vang, Youa Pao Herr, Youa Her Vue, Xia Dang Thao, Pang Thong Chokbengboun, and many other thousands of Hmong and Laotian political prisoners in Laos.

7. We appeal to the U.S. government to bring true peace, democracy, freedom, human rights and national reconciliation to people in Laos.

8. We appeal to the U.S. government, Royal Thai government and the United Nations High Commissioner for Refugees (UNHCR) to stop the repatriation of Hmong and Laotian refugees in the Napho Camp, Thailand, and other displaced locations inside Thailand to return to Communist Laos because the Communist Lao government has committed genocide, oppression and human rights violations against Mr. Vue Mai, Chong Moua Thao, Yong Vang Lor, Nhia Yee Yang, and many hundreds of other returnees in Laos.

We appeal to the U.S. government, Royal Thai government, and the UNHCR to provide more food, medical supplies, and other basic human needs to Hmong and Laotian refugees in the Napho Camp, Thailand.

We appeal to the U.S. government, UNHCR, international organizations, and the Communist Lao government to provide more food, medical supplies and other basic human needs and land for returnees in Laos.

9. We appeal to the U.S. government to continue opening the door of opportunity for Hmong and Laotian refugees in the Napho Refugee Camp, Thailand, to resettle in the United States because of political reasons, family reunification, and genocide in Laos.

Between June and July 1999, the delegation of the Lao Human Rights Council, Inc., in the United States went to the border between Thailand and Laos. People, witnesses and returnees from Laos met with us. They reported and certified that the Communist Lao government and the Communist Vietnamese government have conducted war and genocide against Hmong and Lao people because of the legacy of Hmong-American relations, cooperation, and connection during the Cold War. Witnesses in Laos reported that the Communist Lao government has imprisoned Mr. Xia Dang Thao, Nhia Yee Yang and more than 300 Hmong returnees in Laos. Witnesses said the Communist Lao authorities arrested and tortured and killed Mr. Vue Mai, a leader of Hmong returnees in Laos. Those witnesses reported that officials of the Communist Lao government, U.S. Embassy, and United Nations High Commissioner for Refugees (UNHCR) in Laos did not report the true situation in Laos to the U.S. Congress and the rest of the world. People in Laos appealed to the Lao Human Rights Council, Inc., to report to the U.S. Congress and the rest of the world that the Communist Lao government and Communist Vietnamese government cooperate together to exterminate and kill Hmong people. They said the war, genocide, killing fields, and human rights violations against people in Laos, especially the Hmong people, are going on in the countryside. This is the true situation in Laos.

Thank you so much for your consideration of the above proposals for true peace, human rights, justice and liberty and democracy.

Respectfully,

DR. VANG POBZEB
Executive Director

Enclosure

Appendix I

Reasons and Request for Justice and to Stop Genocide, Human Rights Violations and War in Laos

LAO DEMOCRATIC MOVEMENT AND FREEDOM FIGHTERS IN LAOS
March 1, 1999

The U.S. Government

The United Nations

Dear U.S. Government and the United Nations:

I am former Captain Nhia Herr Vang. I am 62 years old. From 1961 to 1975, I served in the Special Forces (SGU), under Regiment 25, Battalion 225, Company 2252, Second Military Region, under General Vang Pao and the American CIA in Laos during the Vietnam War.

As I am aware, between 1958 and 1960, American CIA advisors and officials contacted and requested General Vang Pao to recruit and lead Hmong and Lao people to cooperate with the U.S. government to stop the aggression and expansion of Communism throughout Southeast Asia. Therefore, we cooperated with the U.S. government.

In 1973, the Paris Peace Agreements on Indochina and the Vientiane Peace Agreement on Laos required that all foreign soldiers and advisors withdraw completely from Laos. These agreements state that the political and military problems in Laos have to be solved by Lao people.

The U.S. government complied with these agreements. The U.S. government completely withdrew all its advisors and soldiers from Laos. However, to the contrary, the Communist Vietnamese government did not comply with these two agreements.

In May 1975, the Communist Vietnamese soldiers and the Communist Pathet Lao soldiers cooperatively took over the Kingdom of Laos with armed forces and aggression. After the Communist Vietnamese government and Communist Lao Movement took over Laos, they exterminated, oppressed, suppressed, killed and imprisoned many thousands of SGU soldiers and officials of the American CIA and Royal Lao government and other people in Laos. The Communist Lao government and the Communist Vietnamese government arrested, rounded up and sent many thousands of soldiers, officials and other people to death in many reeducation camps and concentration camps in Laos.

In the area I occupied, in June 1975, I was arrested and forced to be reeducated in Seminar Camp where I stayed for four days. Fortunately, I escaped from the reeducation camp.

Genocide, human rights violations, war and extermination by the Communist Lao government and the Communist Vietnamese government against CIA soldiers, officials and other people in Laos were causal factors and reasons for people in Laos to form the Democratic Movement to fight against Communist aggression and oppression in Laos. Our struggles are self-defense for survival, freedom, democracy and human rights.

In my village, the Communist Lao and Vietnamese soldiers tortured and killed two Hmong families composed of ten people. The heads of these two families and victims were CIA and SGU soldiers. Therefore, people in my village and many other locations in Laos formed the Democratic Movement to defend ourselves for survival.

Between 1975 and 1976, the Communist Lao government and Communist Vietnamese government and soldiers used biological and chemical weapons to kill many CIA and SGU soldiers, officials and other people in Laos. Many more people suffered. Many people died. Therefore, about 1,000 Hmong people surrendered to the Communist Lao government. The Communist Lao government arrested, imprisoned, tortured and killed those people. About 500 Hmong people fled Laos to Thailand and they sought resettlement in the United States.

According to our statistical figure, there were 8,000 Hmong people in the village of Phou Ma Thao, Muang Mouk, Xieng Khouang Province, in 1975. In 1999, there are 1,500 people who survived and live in this village because the Communist Lao and Vietnamese soldiers killed more than 6,000 people in this one village.

According to many reliable reports of many witnesses in Laos, the Communist Lao government and the Communist Vietnamese government have killed about 300,000 people in Laos between 1975 and 1999. Of these victims, more than 40,000 were former CIA and SGU soldiers and officials of the CIA and Royal Lao government. The Communist Lao and Vietnamese soldiers burned and destroyed villages, houses, forests, farms and animals. They killed Hmong and Lao people and animals using biological and chemical weapons.

In 1998 and 1999, there are more than five (5) Vietnamese military divisions stationed inside Laos. The Vietnamese soldiers are direct, support and assist the Communist Lao government to conduct the war, genocide and biological and chemical warfare against people in Laos. There has been neither peace nor stability inside Laos for the past 24 years, because the Communist Vietnamese government and Communist Lao government is violating the Paris Peace Agreements on Indochina and the Vientiane Peace Agreement on Laos of 1973.

Because of the inhuman atrocities against our people by the Communist Lao government, I am calling upon the U.S. government and the United Nations to recognize that the Communist Lao government and Communist Vietnamese government have violated the Charter of the United Nations and the international human rights laws and principles.

NINE-POINT PROPOSAL FOR PEACE IN LAOS

In order to bring a true peace, justice, human rights and stability to Laos, we people in Laos propose the following nine-point proposal to the U.S. government and the United Nations to consider:

1. To request the twelve (12) signatories (nations) and the United Nations who signed and witnessed the Paris Peace Agreements on Indochina on March 2, 1973, to guarantee and bring a true peace to Laos.

2. To request the U.S. government and the United Nations to demand that the Communist Lao government and Communist Vietnamese government must immediately stop the war, genocide and human rights violations against people in Laos.

3. To request the U.S. government and the United Nations to demand that all the Vietnamese soldiers and advisors must withdraw from Laos immediately and unconditionally.

4. To request the U.S. government and the United Nations to send international peacekeeping forces to stop the war and keep the peace and to supervise free elections in Laos.

5. To request the U.S. government and the United Nations to bring a true peace, justice and human rights to Laos.

6. To request the Royal Lao family, Dr. Khamphai Abhay, General Vang Pao, General Thonglith Chokbengboun and many other Laotian leaders to return to Laos in order to guarantee and maintain peace and stability for people in Laos.

7. To request the U.S. government and the United Nations to establish a "safe haven zone" and "liberation zone" for people, including the freedom fighters in Laos. The international communities should provide medicine, food and other basic human needs to people in these zones.

8. To request the U.S. government, the United Nations, and international human rights organizations to send investigators to investigate, monitor and stop genocide and human rights violations in Laos.

9. If all steps above fail to bring peace to Laos, the U.S. government and the United Nations must give an opportunity for CIA and SGU soldiers, officials and their family members and associates in Laos to seek political asylum and resettlement in the United States because of political reasons, genocide, human rights violations and war by the Communist Lao government and Communist Vietnamese government in Laos.

On behalf of the Lao Democratic Movement and Freedom Fighters in Laos, I appeal to and request the U.S. government and the United Nations to consider the above proposals to save the lives of people in Laos. We need the U.S. government and the United Nations to bring a true peace, justice, human rights, and stability to Laos.

We hope to receive assistance and support from the U.S. government and the United Nations in the near future.

Respectfully requested and submitted:

SIGNED BY MR. NHIA HERR VANG,
Leader of the Democratic Movement and Freedom Fighters in Laos.

cc: (1) U.S. government.
(2) United Nations
(3) Royal Lao Family
(4) Dr. Khamphai Abhay
(5) General Vang Pao
(6) General Thonglith Chokbengboun
(7) Lao Human Rights Council, Inc., USA
(8) United Lao Movement for Democracy, USA
(9) United Lao Movement for Human Rights and Democracy in France
(10) International human rights organizations

Notice: The above English version is a translation from the Lao language which was signed by Mr. Nhia Herr Vang, a leader of the Lao Democratic Movement and Freedom Fighters in Laos.

Appendix II

Affidavit and Statement of Mr. Bliang Yang Chang to the U.S. Government and the United Nations on the True Situation in Laos

March 9, 1999

Dear Ladies and Gentlemen:

I am Mr. Bliang Yang Chang. I am a former political prisoner in the Sam Khe political prison in Vientiane area, Laos, from September 10, 1997 to October 1, 1998. I was a captain and soldier under the American CIA and General Vang Pao in Laos from 1961 to 1975. Many thousands of people in Laos and I were happy to serve the U.S. government during the Vietnam War.

I would like to report the following on the true situation in Laos to the government of the United States; government of France, government of the United Kingdom; the United Nations and international community; and international human rights organizations as follows:

WAR AND GENOCIDE IN LAOS

1. In May 1975, the U.S. government withdrew from Laos completely. The U.S. government did not inform our Hmong and Laotian soldiers about the change of its foreign policy in Laos and Southeast Asia. Many thousands of Hmong and Laotian soldiers and civilians were arrested, imprisoned, and murdered or executed by the Communist Lao government and the Communist Vietnamese government and soldiers. The Communist government sent the King, Queen and many thousands of people to death in many concentration camps in Laos in the past two decades.

In 1975, many thousands of people, including myself, could not escape to Thailand. We were subject to arrest, imprisonment and death by the Communist Lao soldiers and North Vietnamese soldiers. We saw the Communist soldiers kill many people in Muang Cha and many of the villages in Xieng Khouang Province, Laos.

2. As a result, I and many thousands of other people escaped to Mount Bia (Phoum Bia) in Xieng Khouang Province. I stayed in Mount Bia from 1975 to 1996. I saw the communist Lao and Communist Vietnamese soldiers massacre and kill more than 500 Hmong people in Mount Bia. The Communist soldiers used heavy guns and other weapons, and warplanes, to kill many thousands of people in many other locations. The Communist Vietnamese government and Communist Lao government used Soviet warplanes to drop many chemical weapons and bombs to kill many thousands of Hmong people in Mount Bia and many other locations in Xieng Khouang Province and many other provinces in Laos. I saw the Soviet warplanes drop many chemical weapons and bombs to kill Hmong and Laotian people in Laos.

3. The Communist Lao government and the Communist Vietnamese government and soldiers launched and have been conducting war, genocide, human rights violations, oppression, and ethnic cleansing warfare against our Hmong and Laotian people in Xieng Khouang Province and many other provinces in Laos from 1975 to the

present time in 1999. In 1975, the Vietnam War was over for the U.S. government and American people, but the war is not yet over for Hmong and Laotian people.

4. The Communist Vietnamese government did not withdraw its Communist troops and soldiers from Laos. In 1999, there are still many thousands of Vietnamese soldiers, advisors and other Vietnamese people in Laos. The Vietnamese soldiers changed from military uniforms to civilian clothes and uniforms. Therefore, foreigners in Laos do not understand who are Laotians and who are Vietnamese people. The Communist Vietnamese government and Russian government have continuously supplied military materials, equipment, guns and weapons to the Communist Lao government to conduct war against people in Laos from 1975 until today.

5. Today, there is a war going on in Mount Bia and other locations in Xieng Khouang Province and many other provinces in Laos. The Communist Lao government and Communist Vietnamese government and soldiers continue to carry on war against Hmong and Laotian people in Laos.

6. Many thousands of former CIA soldiers and their family members and other people have continued to escape to the countryside in order to avoid the genocide, persecution and imprisonment which are being committed by the Communist Lao government. Many people have died in the countryside from hunger, disease and war.

7. The Communist Lao government has continued to issue announcements and propaganda throughout Laos that those Hmong and Laotian people who escaped to the countryside can and should come back to live peacefully with the Communist Lao government without punishment and without revenge. Therefore, in 1996, I brought a document of amnesty which the Communist Lao government issued to me and to other people. We surrendered to the Communist authorities. I came to live in peace with my family members of the village of Phoum Ghan II, Vientiane area. However, on September 10, 1997, the Communist Lao authorities arrested and imprisoned me. Mr. Ya Xiong Chang and Nhia Lue Chang were also arrested and imprisoned by the Communist Lao government.

The Communist Lao government imprisoned us at the Sam Khe concentration camp, Vientiane area, Laos. I witnessed that there were more than 250 Hmong and Laotian political prisoners in the Sam Khe concentration camp and in other political prisons in the Vientiane area. There are many thousands of Hmong and Laotian political prisoners in Laos. Conditions and food in the prison are the worst. Prisoners do not get enough food to eat and do not get clean water to drink.

8. Many other people in Laos and myself estimate that the Communist Lao government and the Communist Vietnamese government and soldiers have killed more than 300,000 people in Laos in the past 23 years. The war and killing fields in Laos are still going on in the countryside in Laos.

9. The true situation in Laos is that the Communist Lao government and Communist Vietnamese government and soldiers have been cooperating together to carry on war, genocide, human rights violations, oppression and killing fields against Hmong and Laotian people in Laos. The people in Laos need peace, freedom, democracy, human rights, food, basic human needs, medicine, and economic development. The people in Laos do not need war, genocide, oppression and human rights violations.

FIVE-POINT PEACE PROPOSAL FOR LAOS

Therefore, as I am a former Hmong political prisoner in Laos and a friend of the U.S. government, I would like to propose the following five points to the U.S. government and the United Nations and international rights organizations to consider for peace for the people in Laos:

1. The people in Laos and I appeal that the U.S. government and the United Nations must demand that the Communist Lao government and the Communist Vietnamese government and soldiers stop the war, genocide, human rights violations and biological and chemical weapons warfare against Hmong and Laotian people in Laos.

2. The people in Laos and I appeal to the U.S. government and the United Nations to bring a true peace, democracy, freedom and human rights to the people in Laos.

3. The people in Laos and I appeal to the U.S. government and the United Nations to pressure the Communist Vietnamese government to withdraw all its soldiers and advisors from Laos completely and unconditionally.

4. The people in Laos and I appeal to the U.S. government, the United Nations and international humanitarian agencies to bring food, basic human needs, clothes, and medicine to Hmong and Laotian people in the countryside who escaped to there in order to avoid genocide and punishment.

5. The people in Laos and I appeal to the U.S. government and the United Nations and international human rights organizations to send delegates and representatives to Laos on fact-finding missions on the problems of genocide, human rights violations, war and peace in Laos.

I swear and certify that the above statements and reports are true and correct. I tell and report the true situation in Laos to the U.S. Congress, U.S. government, American people and the United Nations.

Respectfully,

Name: Mr. Blia Yang Chang

Signature:

Notice: This English version is a translation from the verbal Hmong language of Mr. Blia Yang Chang.

Appendix III

Hmong Refugees Request Human Rights from U.S. Government

NAPHO FORCED REPATRIATION CAMP
NAKHON PHANOM PROVINCE, THAILAND, NO. 014

June 2, 1999

Dear President Bill Clinton, President of the United States:

Dear Members of the U.S. Congress and Senators, Washington, D.C.:

Dear General Vang Pao, Hmong Leader:

Dear Dr. Vang Pobzeb, Lao Human Rights Council, Inc. in the United States:

We, the Hmong refugees in the Napho Forced Repatriation Camp, Nakhon Phanom Province, Thailand, are writing this letter and petition to you regarding the problems of Hmong refugees in this camp. The purpose of this letter is to request true human rights and freedom. We request resettlement in the United States. Our requests, purposes and reasons are as follows:

1. On April 19–20, 1999, officials of the United Nations High Commissioner for Refugees (UNHCR) from Laos and Thailand and the Thai government have announced in the Napho refugee camp in Thailand that there is peace in Laos and are pressuring Hmong refugees in this camp to register to return to Laos. These officials have announced that each refugee who voluntarily registers to return to Laos will receive at least \$100 from the U.S. government and 2,000 baht (Thai currency) as well as other assistance and support, in order to pressure refugees to return to Laos. However, they also announced that those refugees who refuse to register for voluntary repatriation from the Napho Camp, Thailand to Laos will not receive any assistance and help from the UNHCR and other parties involved in the repatriation to Laos. The officials stated that the Napho refugee camp will be closed down in 1999 and that they will force refugees from Thailand to Laos in 1999.

2. We Hmong refugees respectfully ask the Royal Thai government and you to recognize that between May and June 1987, General Chavalit Yongchaiyudh, Thai Supreme Commander of the Thai Armed Forces, contracted and used Hmong refugees in Thailand to cooperate in helping the Royal Thai government fight against the Communist Lao government during the Thai-Lao border war in the three villages and Luong Kao, border between Laos and Thailand. Major Chong Her Xiong was our military commander (company 201) who led more than 250 Hmong soldiers in cooperation with the Thai armed forces (company 6). We cooperated with the Thai government to help to defend its national security and sovereignty. The Thai government won the war because of our support and cooperation. Therefore, General Chavalit Yongchaiyudh gave videotape equipment, 30,000 baht in Thai currency, and many other awards to our Hmong soldiers.

Therefore, we Hmong refugees are not willing to return to Laos, because we fear that the Communist Lao government shall imprison and kill us because of the above reasons.

3. The Communist Vietnamese government sent about 70,000 Vietnamese soldiers to cooperate with the Communist Lao government to wage war, genocide, ethnic cleansing warfare, and human rights violations against people in Laos. Since the end of the Vietnam War in 1975, and continuing in 1999, the Communist Vietnamese government and Communist Lao government has killed more than 300,000 people in Laos. The “killing fields” in Laos are still going on in 1999. The Communist Lao government has imprisoned 25,000 to 30,000 people in Laos, and continues to

arrest, imprison and kill more Hmong and Lao people in 1999 without fair trials or reasons. These arrests, imprisonments and deaths are evidence that the Communist Lao government has been exterminating ethnic groups, especially Hmong people.

4. In 1993, the Communist Lao government arrested, imprisoned, tortured and killed Mr. Vue Mai, a leader of Hmong returnees in Laos. On April 6, 1999, the Communist Lao government arrested and imprisoned Mr. Vang Thai Xiong, another group leader of Hmong returnees in Laos. There are many other cases which are similar to the cases of Vue Mai and Vang Thai Xiong in Laos.

We Hmong refugees in the Napho Camp, Thailand, are political refugees. We are former soldiers and family members of former soldiers and associates of the U.S. government and CIA during the Vietnam War. Therefore, we declare that we shall not return to death in Communist Laos.

5. We Hmong refugees appeal to the UNHCR, Thai government and the U.S. government to solve our problems in Thailand in accordance with the 1951 Convention Relating to the Status of Refugees of the United Nations. Chapter 1 and Article 1 of the Convention defines who are "refugees" (please see the Convention of 1951). We are legal refugees and political refugees under the definition of the 1951 Convention.

6. There are 1,286 Hmong and Lao refugees in the Napho Camp, Thailand, who endorsed and agreed with this petition and letter.

We appeal to Dr. Vang Pobzeb, Lao Human Rights Council, Inc., to bring our requests to the U.S. government, the UNHCR, and the Thai government for consideration of our requests for human rights. Thank you for your help and assistance.

Respectfully submitted and requested,

WRITTEN AND SIGNED BY REPRESENTATIVES OF REFUGEES ON BEHALF OF 1,286
HMONG AND LAO REFUGEES IN THE NAPHO CAMP, THAILAND

Signed by:

1. Mr. Xiong Nhia Koua, Leader of Hmong refugees, Napho Camp, Thailand (BV04019).
2. Mr. Vang Fai Dang, Leader of Hmong refugees, Napho Camp, Thailand (Refugee Status, ID, ST 197) and Mr. Thak Keo Vimxay.

Heads of Families of Refugees who Endorsed and Supported this
Petition and Letter include:

	Name	Refugee Status
3.	Mr. Nou Ly Vang	(CA 03324)
4.	Mrs. Chang Kia	(CB 200368)
5.	Mr. Chong Shoua Vang	(ST 198)
6.	Mr. Vang Koua	(BV 07742)
7.	Mr. Lo Pao Lor	(NP 16616)
8.	Mr. Xay Yee Chang	(CA 4005)
9.	Mr. Tong Yang	(BSC 0172)
10.	Mr. Xay Shoua Xiong	(BV 03085)
11.	Mr. Shoua Lo Xiong	(BN 1710)
12.	Mr. Xay Seng Xiong	(BV 07577)
13.	Mr. Ly Fong Xiong	(CA 04706)
14.	Mr. Youa Teng Thao	(BV 02521)
15.	Mr. Yang Tou	(BV 0330)
16.	Mr. Shoua Thao	(NN 16628)
17.	Mr. Xai Thao	(NP 016627)
18.	Mr. Oua Thai	(NP 16716)
19.	Mr. Xai Thao Xiong	(BN 09036)
20.	Mr. Mai Lor	(ST 01949)
21.	Mrs. Youa Her	(BV 08530)
22.	Mr. Chao Thao	(CA 05594)
23.	Mr. Ka Xiong	(CA 05600)
24.	Mr. Seng Shoua Xiong	(BV 4078)
25.	Mr. Yee Her	(BN 09179)
26.	Mr. Wang Neng Thao	(CA 3217)
27.	Mr. Chong Xiong Chang	(CA 4003)
28.	Mr. Vang Thao	(BV 10325)
29.	Mr. Xai Toua Chang	(BV 1914)
30.	Mrs. Yia Ly	(CB 200669)
31.	Mr. Cha Ly	(BV 8941)

Notice: The above English version is a translation from the original Lao language which was written and signed by the above witnesses. Mr. Xiong Nhia Koua and Vang Fai Dang and the other 29 heads of families of refugees above requested resettlement in the United States. They declared that they shall not return to Laos because of political reasons.

Appendix IV

Request for Human Rights and Democracy

July 4, 1999

Dear President of the United States,
U.S. Congress
General Vang Pao
Mr. Vang Pobzeb, Lao Human Rights Council, USA

I am Mr. Moua Yia. I am 42 years old. I am a leader of the Democratic Movement and Freedom Fighters in Phou Bia (Mount Bia), Laos. I am hereby reporting on the true situations in Laos from 1975 to 1999 to you.

The true situations in Laos for the past 24 years and also in 1999 are that the Communist Lao government and the Communist Vietnamese government have continued to commit war, genocide, human rights violations, oppression, extermination, ethnic cleansing war and biological and chemical weapons warfare against Hmong and Lao people in Laos.

On October 12, 1975, the Communist Lao government arrested, tortured and killed my father, Mr. Nhia Toua Moua, a 45-year-old leader of the village. The Communist Lao government also tortured and killed four CIA soldiers, including Mr. Moua Bee, 35 years old; Mr. Boua Fue Moua, 38 years old; Mr. Moua Xiong, 33 years old; and Mr. Youa Lue Lor, 37 years old. The Communist Lao government and Communist Vietnamese government have cooperated to kill many thousands of Lao and Hmong people in Laos because of the legacy of the Hmong-American relations during the Vietnam war.

The Communist Lao government and Communist Vietnamese government killed about 350,000 people in Laos in the past 24 years. The war, genocide, human rights violations and biological and chemical weapons warfare against Hmong people are still going on in Laos in 1999.

Therefore, I respectfully request the U.S. government to stop the war in Laos and to save the lives of our people, because we do not want to die by war anymore.

We are former soldiers under the American CIA and General Vang Pao. Therefore, we request that the U.S. government must save our lives. We do not want to die by the Communist war. We need peace, democracy and human rights like the American people and other people in the world have.

We appeal to and request the U.S. government and international human rights organizations to stop the war, genocide and human rights violations against people in Laos. Thank you so much.

Respectfully requested,

SIGNED BY MR. MOUA YIA
Leader of the Democratic Movement
and Freedom Fighters
Phou Bia (Mount Bia), Xieng
Khouang Province, Laos

- cc: (1) The U.S. government
(2) U.S. Congress
(3) General Vang Pao
(4) Mr. Vang Pobzeb, Lao Human Rights Council, Inc., USA

Notice: The above English version is a translation from the Lao language, which was written and signed by Mr. Moua Yia on July 4, 1999.

Note: This document is translated "The Laotian Paper" from a Lao version to English version by a Christian Missionary at Louang Prabang, Laos.

Appendix V
THE LAOTIAN PAPER

February 10, 1998

Mr. Khamtai Siphandon
Prime Minister
Office of the Chairman
Council of Ministers
Vientiane, Laos

To Prime Minister Siphandon

From: The Laotian People

This letter is sent to you to demand that you immediately order your troops to cease fire against the Lao people in the Northern, Central and Southern provinces of Laos. You cannot hide the fact that from December 1, 1997 to the present time, countless of innocent Laotian men, women, and children in those provinces have been killed by your government's 105 mm guns, chemicals, air raids, and by other military attacks. We have witnesses that on January 28–29, 1998 you ordered Russian-made B8 helicopters to drop lethal chemicals on the Lao-Hmong at Phoubia, Phaphai, Phoula, Phou La Phao, Mouang Cha, Mouang Mok, and other areas in Xiengkhouang province. These drops of red and yellow chemicals and the poisoning of specific water sources have immediately killed thousands of Lao civilians, including men, women and children. Furthermore, your troops captured large groups of women and children. All the children were killed immediately. The women were raped and killed by your soldiers who left them dead and naked.

Mr. Prime Minister, you and your colleagues cannot afford to pay the price for this genocide. We were born in Laos and are Lao citizens. We claim the rights for life and to live freely in our own country. For twenty-two years, the Pathet Lao regime has conducted genocide against the Laotian people. We demand that you and your fellow leaders immediately withdraw your troops which were deployed to murder Lao civilians in the regions mentioned above. These killings must be immediately stopped. Otherwise, you and your colleagues must bear responsibility and all the consequences.

Be aware, that once the truth is brought to the attention of the international community, you and your cohorts will be held responsible for this genocide by millions of Lao citizens as well as the international community. We, the survivors of your genocide have concrete evidence, and we are willing to testify before our fellow Lao citizens and the world, that you and your cohorts are conducting the most blood-thirsty murder campaign against your own citizens and the greatest violation of human rights in our history.

Mr. Prime Minister, the Laotian people have suffered enough from decades of war. We want a government that respects peace, human rights and which is able to stimulate economic development for the benefit of the people. We do not deserve any more of the crazy and bloody war that you and your cohorts created. The Laotian people deserve to live in peace.

You will not win and will not be able to totally wipe out the civilians whom you consider your opposition. We, the Lao citizens, give you and your colleagues our last warning to either cease fire immediately or we will have no choice but to assert our rights as citizens to condemn your administration and bring you before an international court of law. When this happens, you and your fellow leaders cannot deny responsible for what you have done to the Laotian people.

This letter is executed in Laos this 10th day of February 1998 by the Laotian people, your fellow countrymen.

Representative of the Lao People

BOUNCHAN SODABANH

cc: Foreign Minister of the People's Democratic Republic of Laos
US Department of State
US Committee on Foreign Affairs Relation
US Subcommittee on Foreign Affairs
US Bureau of East Asia and Pacific Affairs
Foreign Minister of the Kingdom of Thailand
Foreign Minister of the People's Democratic Republic of Vietnam

Foreign Minister of the People's Democratic Republic of China
 United Nations
 Headquarters of ASEAN
 World Bank
 Asian Development Bank
 Amnesty International
 International Human Rights Organizations
 Lao Human Rights Council in America
 National and International Media Organizations
 All Whom It May Concern

Statement of Philip Smith, Washington, D.C., Director, Lao Veterans of America, Inc.

Mr. Chairman, I would like to thank you, as well as the honorable Members of the Trade Subcommittee, for the special invitation extended to the Lao Veterans of America to submit comments today in the U.S. House of Representatives regarding Laos. We appreciate your role in the debate over whether or not to extend Normal Trade Relations (NTR) to the regime currently ruling Laos, the Lao People's Democratic Republic (LPDR).

We believe that the freedom-loving people of Laos will benefit, one bright day in the future, from your devotion to the democratic institutions and deliberative processes that have made America a great nation and a leader in the international community. Indeed, our deepest prayers and aspirations are to help to give voice in this testimony to the vast silent majority of the population in Laos—the countless individuals living in despair, poverty, discrimination and oppression in the LPDR because of decades of misguided policies forced upon them by a militaristic regime that has bankrupt the people, like the peoples of Eastern Europe under Communism, both economically and spiritually.

I. ABOUT THE LAO VETERANS OF AMERICA

The Lao Veterans of America (LVA) is a non-profit veterans organization created to educate the general public and U.S. policymakers about the historic contributions made by the Lao and Hmong veterans of the U.S. Secret Army in Laos who served with U.S. clandestine and military forces during the Vietnam War. The LVA was founded and established with visionary leadership from Colonel Wangyee Vang and a very dedicated group of individuals. It enjoys an active advisory board and the participation of many distinguished American leaders, including many Members of Congress as well as those who served in senior policymaking positions during the Vietnam War. Major General Vang Pao and General Thonglit Chokbenboun are Honorary Co-Chairmen of the LVA. The Lao Veterans of America has chapters throughout the United States and represents over 60,000 Laotian-Americans and their families. It has been recognized repeatedly by the U.S. Congress, Administration officials and the news media for its outstanding contributions to U.S. national security interests during the Vietnam War as well as its ongoing positive work in Washington, D.C., Southeast Asia and communities throughout the United States. For nearly a decade, the Lao Veterans of America, working in cooperation with other like-minded organizations that share similar goals, has played a significant role in helping to shape U.S. policy toward Southeast Asia as well as domestic policy toward the Lao-America and Hmong-American community. The LVA has had a major impact in the public arena and participated in the national dialogue regarding vital issues, including, but not limited to: 1.) organizing numerous research and U.S. Congressional fact-finding missions to Southeast Asia; 2.) hosting the first national recognition ceremonies for the Hmong veterans and their families, including the awarding of Congressional citations and the establishment of a memorial in Arlington National Cemetery; 3.) opposing the forced repatriation of Laotian refugees in Southeast Asia and bringing thousands of additional veterans and their families to the United States; 4.) encouraging Congress to successfully introduce and develop support for legislation granting citizenship to Hmong and Lao veterans of the U.S. Secret Army; 5.) urging Congress to introduce legislation that helped to successfully restore SSI to the Hmong and Lao veterans and their communities; and, 6.) playing a leadership role in the effort to urge Congress to reject the granting of MFN and NTR trade status to the LPDR regime by working to educate Members of Congress about the current situation in Laos and requesting that they continue to reject the

granting of normal trade status to the regime in Laos until it undertakes basic economic and political reforms.

In July and August of this year, the Lao Veterans of America conducted two major research missions to Southeast Asia in cooperation with Members of Congress, Southeast Asian government officials as well as various non-governmental organizations. Some of the research mission findings are contained in this testimony.

II. THE LPDR'S FAILED EFFORTS TO GAIN SPECIAL TRADING STATUS IN RECENT YEARS

Mr. Chairman, in 1997, the LPDR aggressively sought for the first time—in a bold step, unprecedented since the collapse of Laos to the communists in 1975—what was then called Most Favored Nation (MFN) trade status from the U.S. Congress. Hitherto, granting MFN or NTR trade status to the LPDR regime had not been considered by Congress given the regime's horrific record on numerous issues. It is important to note that by 1997, the Lao communists were in a desperate situation and fearful that—like their former Warsaw Pact allies in Eastern Europe—events would spin out of control and they would lose their domestic grip on power to the forces of freedom, reform and market economics. In the face of deplorable, and steadily worsening economic conditions in the LPDR, the regime went abroad begging for financial aid, first from its former Cold War allies, including remarkably Cuba (whom, astonishingly, the LPDR actually asked for economic assistance from its nearly bankrupt ally—predictably, without result), and then, in desperation, from the United States. Sadly, Laos under the communists had become an economic basket case broken from decades of corruption and mismanagement in a Soviet-style command economy as well as the political and economic collapse of its largest foreign aid patron, the former Soviet Union. The U.S. Department of State, instead of pressing for systemic political and economic reform in Laos when significant potential leverage existed at the end of the Cold War and the difficult years for the regime that followed, apparently simply urged the LPDR to increase its efforts, in cooperation with the State Department, to obtain MFN trade status from the U.S. Congress. Moreover, the State Department worked to provide other forms of U.S. assistance to the Lao communists. Astonishingly, no significant conditions to encourage political and economic reform were placed on the LPDR regime by the U.S. Department of State in return for these generous concessions and Administration efforts to help obtain MFN trade status from Congress. Instead the State Department seemed to turn a blind eye to the regime's excesses and aggressively defended the LPDR and its policies from its critics in the United States and abroad.

Hiring for the first time an American lobbyist, the LPDR vigorously pursued its effort to obtain MFN trade status on Capitol Hill with a number of its allies in the business as well as the Non-Governmental Organization (NGO) community in Washington, D.C. White-washing the horrific ongoing nature of the LPDR and its behavior, they seemed overly eager to curry favor, with elements of the ruling elite in the Lao regime.

The LPDR regime and its allies in Washington, D.C., as well as some elements within the State Department, also vigorously worked to attempt to discredit and smear the work of organizations, activists, journalists and ordinary public-spirited individuals in America and abroad concerned about the plight and ongoing suffering of the Lao people; some of those targeted included people who had lost family or loved ones in Laos because of the regime's brutality. These efforts on the part of the LPDR failed miserably and, in fact, backfired on the regime's plans to obtain MFN trade status. The apparent worst enemy of the Lao government, in terms of its efforts to obtain MFN trade status for the first time seemed to be the Lao government itself. It continued to engage in reckless and unbridled behavior with regard to international norms and the mistreatment of its own people. For example, it was even so imprudent at the time as to crackdown publicly on religious practice, arresting and imprisoning dozens of Christians in Laos, including American missionaries. Moreover, the LPDR regime strangely sought to justify its inexcusable actions with a bizarrely worded press release posted on its Embassy's internet site in Washington, D.C.; this after over fifty Members of Congress signed a letter in protest to the religious crackdown against the Christians in Laos.

Mr. Chairman, tens of thousands of Lao and Hmong-Americans across the United States and internationally rallied against the LPDR regime and its efforts to obtain MFN trade status in the 105th Congress. News reports filled the American press as well as the international media about opposition to the LPDR's trade efforts by the Hmong and Lao people. The Lao Veterans of America was pleased to help in this regard as well as to urge Members of Congress to review the situation more closely and to organize, for the first time, an actual hearing exclusively on the situa-

tion in Laos from the perspective of the victims. It is to the credit of many in the U.S. Congress that sound reason, the light of factual information, and the enduring values that have made America the great nation that it is, were finally able to prevail and pierce the dark deception of the LPDR's propaganda and disinformation effort in Washington, D.C. In July 1997, on the same day that the MFN legislation for Laos was voted on by the Trade Subcommittee, the first hearing since the Vietnam War was held in Congress regarding the situation in Laos. The Congressional Human Rights Caucus in cooperation with the House International Relations Committee, under the combined leadership of Chairman Ben Gilman, Congressman Tom Lantos, Congressman John Porter, Congressman Dana Rohrabacher, Subcommittee Chairman Chris Smith, Congressman Bruce Vento and Congressman George Radanovich organized and hosted this important hearing. Lao and Hmong victims and survivors of the LPDR's brutality and atrocities testified about their experiences before the Congress. Also providing testimony were noted experts on the current situation in Laos such as T. Kumar from Amnesty International and Colonel Wangyee Vang, National President of the Lao Veterans of America.

III. OPPOSITION BY THE LAO VETERANS OF AMERICA AND THE VAST MAJORITY OF LAO AND HMONG-AMERICANS TO THE GRANTING OF NTR TRADE STATUS TO THE LAO REGIME

Mr. Chairman, undoubtedly in our view, and in the sentiments firmly held by the vast majority of Lao and Hmong-Americans, it would be premature and unconscionable for the U.S. Congress to provide the LPDR regime in Laos with Normal Trade Relations (NTR) at this time. Although highly coveted by the Lao Peoples Revolutionary Party (LPRP)—particularly its coercive state organs of control, including its military and security forces, whose morbid Stalinist institutions would be transfused with fresh supplies of foreign investment capital—such a move by Congress to grant NTR status to Laos would clearly not be in the interest of either the people of Laos or the United States in the current dispensation. We base our staunch opposition to granting NTR to the Lao government on the significant body of information regarding the ongoing rogue conduct of the LPDR regime, which includes, but is not limited to, the following points listed below.

IV. OVERVIEW OF THE REGIME IN LAOS—THE LAO PEOPLES DEMOCRATIC REPUBLIC (LPDR)—A THREAT TO CIVIL SOCIETY IN COMMUNITIES IN SOUTH EAST ASIA, THE UNITED STATES AND THE INTERNATIONALLY.

The Lao Peoples Democratic Republic (LPDR) is a one-party communist state ruled by the Lao Peoples Revolutionary Party (LPRP). The LPRP exercises absolute control over the State and its institutions. It is intolerant of political diversity and the existence of political and religious groups or organizations with differing viewpoints. The communist party enjoys a monopoly on power at all levels of society in Laos. All other political parties outlawed. Military and security forces consume a disproportionately large amount of the State's annual budget and are tasked with crushing all forms of free thought that might emerge to challenge the policies or power of the State or its leadership—including political, religious, social and economic thought. The LPDR retains close working relationships on security and other matters with rogue, or Stalinist regimes in North Korea and Cuba. For example, in 1995, the government of Laos took a delivery of 20 busts of its communist Party founder, Kaysone Phomvihane from North Korea—whose sculptors produced similar busts of the former Korean Dictator Kim IL-Sung. Currently, these busts are being placed in newly constructed memorial squares in all of the provincial capitals of Laos as well as other LPDR designated locations throughout the country. It is, therefore, no surprise that the LPDR remains one of the most corrupt, repressive and backward nations in Southeast Asia and, indeed, the world. In the last decade, the LPDR and its leadership have become more obsessed with absolute control of the State, and have heighten coercive efforts against political, ethnic and religious dissidents and opposition groups in Laos, especially after the Berlin Wall was brought down and the economic and political collapse of its chief patron—the former Soviet Union.

LPDR military and security forces engage in ethnic and political cleansing of dissident and minority elements who challenge the LPRP's policies or leadership. Dissidents or members of suspect ethnic minorities are often jailed or executed extrajudicially—many simply disappear. Independent human rights organizations like Amnesty International and Asia Watch are barred from Laos by the government. Foreign journalists are assigned "minders" by the LPDR security services to monitor their movements and activities. Frequent reports by Lao and Hmong families living in the United States or abroad regarding allegations of the persecution

or killings of their relatives still residing in Laos by the regime are sometimes difficult to confirm independently because of these restrictions and the often secretive nature of the LPDR regime.

V. ONGOING ETHNIC CLEANSING OPERATIONS BY THE LPDR REGIME AGAINST THE HMONG AND OTHER MINORITY GROUPS IN LAOS.

There are numerous and ongoing large-scale and small-unit ethnic cleansing operations being conducted by the LPDR military and security forces against Hmong, Khmu, Mien and other minority enclaves in Laos. Accurate numbers as to the casualties killed and wounded in Laos by the government remain elusive due to the closed nature of the LPDR regime as well as the remoteness of the regions and the primitive conditions that exist in many parts of Laos. In the 1990s, however, conservative estimates place the number of minority people killed annually in Laos by the government in these operations at several thousand. Numbers were far higher on an annual basis in the late 1970s and throughout the 1980s following the collapse of the Royal Lao government and the takeover by the communists in 1975. In the 1980s, large-scale operations by Vietnamese military forces in Laos, in coordination with LPDR security forces, probably accounted for the deaths of tens of thousands of Hmong and other minority peoples on an annual basis. Moreover, tens of thousands of Hmong and Lao people also fled the country as refugees across the Mekong River to Thailand during these years.

Mr. Chairman, currently military operations are being conducted by the LPDR in northern Xieng Khouang Province, Laos, against some 8,000 Hmong people that are largely surrounded in two major defensive pockets. International Relations Committee Chairman Benjamin Gilman raised serious concerns about this issue with Prime Minister Chuan Leekpai of Thailand in August of this year after his staff conducted research interviews with Hmong leaders and representatives from this area. Thai officials and key leaders in the United States Congress remain concerned about the possible need to provide humanitarian assistance for a potential refugee influx that the ongoing LPDR ethnic cleansing operations might generate.

In Southern Xieng Khouang Province (including what the LPDR established as the "Xiasomboun Special Zone"), Bolikhamsai Province and Khammuan Province, Laos, some 1500 Hmong are being hunted by special LPDR ethnic cleansing units tasked with exterminating them.

In the Southern panhandle of Laos, hundreds of Khmu people who oppose the LPDR's policies are subjected to military attacks by the regime that have claimed the lives of hundreds of people over the last several years. Many have begun to take up arms against the government or flee to the jungle in self-defense.

Mr. Chairman, currently, in 1999, it is estimated that at least 12,000 minority people are currently in imminent danger of extermination in Laos by LPDR ethnic cleansing units. The Hmong people continue to be singled out for attack by the LPDR which still often mistrusts them, given their role in support of anti-communist efforts with U.S. clandestine and military forces during the Vietnam War. The main targets of ethnic cleansing by the LPDR regime are almost exclusively civilians living in villages in various remote areas of Laos—where people wish to live in freedom, and resistance and opposition forces continue to seek safe-haven from the regime. Current, LPDR tactics do not seek to discriminate between civilian and resistance targets. Suspect or unspecified ethnic minority groups in their traditional rural or mountain homelands are attacked by military and security forces with the apparent intent to kill all of the inhabitants. Entire villages are attacked indiscriminately with seemingly no regard for civilian lives—especially those of women and children who, if they survive the initial attack, are often raped, mutilated or summarily executed. For such operations, the LPDR routinely deploys for airborne support its older, but still quite lethal, Soviet-built MI-6 and MI-8 "HIP-E" attack helicopters—in tactical combat formations of four to six helicopters—sometimes equipped with 57 mm rocket pods, machine guns and cluster munitions. It is also worthy to note that the LPDR is deploying, in larger numbers, ethnic battalions of communist or conscripted Hmong and other minorities against people of their own ethnicity in an effort to obtain better intelligence as well as divide and conquer these groups. Currently, one battalion each of communist or conscripted Hmong are reportedly deployed in Xieng Khouang and Khammuan provinces respectively to assist LPDR ethnic cleansing units with their operations.

LPDR troops often suffer from severe discipline problems and low morale due to conscription and lack of pay for months on end. These problems have been exacerbated in recent years with the economic crisis in Laos. Consequently, LPDR troops are frequently known to loot, plunder and rape in many of the areas where they operate. The military and security forces are thus viewed with ever increasing sus-

picion, contempt and hostility by many Lao people. Underground political and armed opposition groups continue to develop and grow in such an environment.

Astonishingly, the LPDR regime apparently continues to aggressively desire military support and senior-level advice from Vietnam for its military operations against the Hmong people in Xieng Khouang Province. On May 31, 1998, the British Broadcasting Corporation (BBC) reported that the Voice of Vietnam in Hanoi had announced the crash in Xieng Khouang Province, Laos, of a very senior delegation of Vietnamese military officials, on May 25, headed by Lt. General Dao Trong Lich who was the Deputy Minister of National Defense as well as the Chief of Staff of the Vietnam People's Army (VPA) and a member of the Central Committee of the communist Party. Twelve (12) additional senior Vietnamese military officials died in the crash including a number of top Generals commanding various military regions in Vietnam, the Chief of the Vietnam Military Attache Office in the LPDR, Colonel Le Van Han, as well as Colonel Hoang Binh Quan, Deputy Commander of the Border Defense Forces. It is important to note that Hmong resistance units operating in defense of their people in Xieng Khouang Province reported shooting down this aircraft in Laos with small arms fire from AK-47s, after the aircraft had circled in an apparent reconnaissance effort following a major LPDR offensive against the Hmong. Lowland Lao and Lao minority groups opposed to the LPDR, including many Hmong, also report the regime's ongoing reliance on Vietnamese advisors, troops and weapons.

Mr. Chairman, it is also important to note that there continues to be numerous credible eye-witness reports of the use of various types of chemical agents by the LPDR against crops, livestock and civilians in Laos, particularly in mountainous areas inhabited by the Hmong and other minorities. These reports detail the use of chemical defoliants against food crops cultivated by rural people living outside the control of the government. They also discuss lethal and non-lethal gases delivered either by aircraft, or in some cases mortar or artillery shells. Various reports from reliable sources also describe toxic chemicals used by LPDR special operations units to contaminate and poison the water supply in wells and upstream in creeks that run through Hmong and minority villages—in areas that are not under the military control of the LPDR regime.

VI. ONGOING RELIGIOUS PERSECUTION BY THE LPDR REGIME.

Mr. Chairman, unfortunately, freedom of religion does not exist in the LPDR. Thousands of Lao Buddhists and Christians have been arrested and jailed since the regime took power simply because of their religious convictions. Arrests have intensified in 1998 and 1999. Amnesty International reports that at least forty-five (45) prisoners of conscience were arrested in 1998 for the practice of their religious beliefs. Amnesty documents that at least forty-four (44) people were arrested in January, including thirty-nine (39) Lao, three (3) American citizens as well as one (1) French and one (1) Thai national. This occurred at a Bible study meeting in the house of Sy Yilatchai in the capital of Laos, Vientiane, organized by the Church of Christ.

Amnesty International further reports that Father Tito Banchong Thopayong, a Catholic Priest, was arrested by Lao authorities in Bokeo province. The reported official reason by the LPDR for his arrest, according to Amnesty, was the teaching of religion without permission. He had been the assistant parish priest at the Catholic Cathedral in Vientiane and was also reportedly arrested and imprisoned for several years during the 1980s for his religious activities.

Mr. Chairman, in recent years the LPDR in cooperation with the Socialist Republic of Vietnam (SRV) has undertaken a major new campaign to eradicate Christianity among the Hmong and other hill tribes in Laos and Vietnam. Anti-Christian literature is being circulated by LPRP cadres and LPDR officials. Regime crackdowns are in full swing. The Hmong, long marginalized, discriminated against, and targeted for ethnic cleansing by the communists, are responding to the message of hope and charity that they receive from Christian missionaries and overseas Christian radio broadcasts. Tens of thousands are converting to Christianity in Laos and Vietnam in defiance to the government. However, they will continue to pay a high price for their faith as thousands are now being rounded up for arrest, interrogation, imprisonment, torture—and worse. Time Magazine's most recent edition (Asia Edition, Sept. 13, 1999) offers a disturbing picture of the terrible new plight potentially facing so many Hmong people and other minority Christians in Vietnam in an article entitled "God vs. the Cadres."

Mr. Chairman, the LPDR continues to harass and oppress the faithful who do not register with the government or who meet in private to worship so as to avoid government scrutiny. The State Department's first report of global religious liberty,

issued just this week by Robert Seiple, former President of Eastern College and Ambassador at large for international religious freedom, cites the fact that Buddhist Monks in Laos are required to undergo mandatory Marxist-Leninist training. Indeed, the LPDR maintains a tight grip on all Buddhist temples and monitors closely the activities of Buddhist monks throughout the country. The Buddhist clergy and faithful are strictly prohibited from speaking out against the LPDR regime or government policies, no matter how unjust.

VII. ONGOING PERSECUTION OF POLITICAL DISSIDENTS BY THE LPDR REGIME.

Mr. Chairman, the ongoing persecution of political dissidents in Laos by the LPDR is a major problem documented in part by Amnesty International and others. Recent interviews with ethnic lowland Lao political dissidents as well as intellectuals and minority dissidents confirm the continued violent intolerance of the regime toward free thought, dissent and political pluralism. Intellectuals and political dissidents who advocate even basic changes toward democracy or political power sharing are, if they do not disappear or are not executed extrajudicially at the hands of security forces, simply imprisoned for lengthy periods of time under the harshest of conditions. Prominent cases publicized by Amnesty International, such as that of the three Lao prisoners of conscience held in Prison Camp 7 in a remote area of Houa Phan Province, are clearly symbolic. They represent the mere tip of the iceberg in terms of political dissidents and prisoners of conscience held for long periods in the Lao gulag system.

VIII. ACCOUNTABILITY FOR THE DISAPPEARANCE OF AMERICAN CITIZENS IN LAOS AND PROMINENT HMONG AND LAO REFUGEES REPATRIATED TO THE LPDR.

On April 19, 1999, two U.S. citizens of Hmong-American descent, Mr. Houa Ly and Mr. Michael Vang, were abducted by Lao security forces while traveling to Laos near the Thai/Lao border on the Mekong River near Chiang Khong. American eyewitness survivors of the abduction, non-governmental sources investigating the incident, as well as Thai military and intelligence officials, have confirmed that the two Americans were indeed abducted by the LPDR authorities. Both men have not been heard from since, despite a two-page Congressional letter drafted by Congressman Mark Green and signed by five Members of Congress. Signatories to the May 19, 1999, letter to Secretary of State Madeline Albright included International Relations Committee Chairman Ben Gilman as well as Human Rights Subcommittee Chairman Chris Smith. It requested immediate action to assist in recovering the two men if they are alive—or alternatively if they are dead for their bodies to be returned. Congressman George Radonovich likewise initiated a major investigation into the case and developed efforts to seek to recover the two missing Americans or their remains. Thai military and intelligence sources, responding to Rep. Radonovich's investigation efforts, have stated that the two Hmong-Americans were likely tortured under interrogation and summarily executed by LPDR security forces.

Mr. Chairman, in the face of an overwhelming body of evidence, the LPDR regimes flatly denies abducting the two Americans and has recently accused the Voice of America (VOA) Lao Service of slandering it for reporting about the case. Surviving family members of the victims, including their spouses and children, continue to press the U.S. Congress to obtain more concrete answers from the LPDR. Forthcoming legislation is expected from a bipartisan group of Congressmen and Senators regarding the case.

Mr. Speaker, this is not the first time prominent Hmong have disappeared in Laos. Hmong leader Vue Mai and many others repatriated from refugee camps in Thailand have likewise disappeared without a trace in Laos in recent years. Independent journalists, including Marc Kaufman of the Philadelphia Inquirer, and numerous Congressional research missions have confirmed the LPDR's apparent role in the mistreatment, disappearance and killings of Hmong and Lao refugees in the Laos.

IX. ONGOING LPDR SILENCE ON THE FATE OF THE KING AND QUEEN OF LAOS AND MEMBERS OF THE ROYAL FAMILY

Mr. Chairman, the beloved King and Queen of Laos were part of the ancient and proud traditions of the Kingdom of Laos—the Kingdom of A Million Elephants. Like the King and Queen of Thailand, the Royal Family are still held in the highest respect by so many people. His Royal Majesty King Savang Vatthana and Her Royal Majesty Queen Khamponi, as well as key Members of the Royal Family, disappeared in the Lao gulag system soon after the communist's seized power. To this day, despite the outpouring of national emotion and reconciliation in Russia regard-

ing the murder of the last Czar and his family by the Soviets, and appeals by many in the Lao Diaspora, the LPDR has refused to come to terms with its past and the fate of the Royal family. Not even the location, time or means of the assumed deaths of Royal Family members are known.

Mr. Chairman, the U.S. Congress should not consider granting MFN to the LPDR regime until it provides truthful and complete information about the fate of the Royal Family and provides to the people of Laos the final remains of the King and Queen.

X. LPDR STATE SPONSORED DRUG PRODUCTION AND TRAFFICKING

Mr. Chairman, it is critical to note that the LPDR remains one of the world's largest producers of opium. Traditionally cultivated by the Hmong and other highland peoples of Southeast Asia, the LPDR military and security forces now oversee and control the production and trafficking of narcotics in Laos. Senior LPDR military and security officials have developed more extensive and sophisticated networks of narcotics smuggling and distribution through Vietnam, Cambodia, Thailand, China and Burma. They have successfully worked to establish and expand international narcotics trafficking networks in the United States and abroad—with growing influence in the Lao Diaspora community in California, Minnesota and elsewhere. The threat to civil society in communities throughout Laos, Vietnam and the United States as a result of LPDR narcotics trafficking is growing. Associated social ills, including the corruption of public officials and government employees, increased crime, child prostitution, AIDS/HIV transmission and the corrosive activities of organized criminal syndicates appear to be rapidly following on the footsteps of these developments in many communities in Southeast Asia and internationally.

XI. SYSTEMIC CORRUPTION IN THE LPDR, DISREGARD FOR THE RULE OF LAW AS WELL AS ECONOMIC MISMANAGEMENT, ARE A THREAT TO U.S. TAXPAYERS AND AMERICAN INVESTMENT.

Mr. Chairman, numerous small and medium-sized investors and companies have been scammed or their investments and assets in the LPDR confiscated or stolen by Lao authorities. Indeed, the LPDR has consistently demonstrated contempt for the rule of law—both domestically and internationally. It suffers both from the lack of the existence of the rule of law in terms of the day-to-day functioning of the State as well as simple respect for it. There is no independent judiciary. Judges and courts are notorious instruments of the LPRP and the LPDR—including the private financial interests of various officials. Often, they are hopelessly corrupted with threats of coercive action, bribes and kickbacks from LPRP and LPDR officials. The remnants of civil society in Laos is now run largely by organized criminal elements—individuals and families—operating under the guise of communist party officialdom. Systemic political and economic corruption are still grossly exacerbated in Laos by its leadership's control of the command economy and natural resources.

The current situation in Laos in terms of the legal environment for business as well as the economic and political situation represent a significant risk to the U.S. taxpayers and investors in the LPDR. Moreover, in the past year, with the ongoing effects of corruption and economic mismanagement in the economy, as well as the lingering problems caused by the Asian economic downturn which originated in Thailand, the LPDR's currency, the Kip, has plummeted to record lows against the U.S. dollar and the Thai Baht, as well as other international currencies. The currency used in Laos is no longer the official currency, but is now largely the Baht and the U.S. dollar. Kip bank notes officially issued by the LPDR are viewed by the Lao people with increasing suspicion and now trade at between 8,000 and 9,000 to the U.S. dollar. Consumer prices have doubled since 1997 in Laos. Major infrastructure and development projects, including large bridge and railroad projects across the Mekong River supported by international investors, have apparently been put on hold in Laos.

On August 12, 1999, the Bangkok Post ran a major piece regarding the dramatic reshuffling of key LPDR officials in charge of economic and financial affairs. The piece provided a shocking analysis of the deplorable economic situation in Laos that both experts and diplomats say show the country is in deep trouble with increasing pressure on General Sisavath Keobounphanh, the Prime Minister, to pull Laos out of its current crisis. Notably, General Sisavath has articulated his efforts at concentrating on curbing imports to Laos in order to save the countries depleted foreign reserves. At this time, it would appear that extending NTR trade status to the LPDR would likely be a one-way street in terms of trade with America. The LPDR would export to the United States with very little likely being purchased by Laos from America.

Mr. Chairman, extending NTR trade relations to the LPDR regime in Laos is clearly premature for so many compelling reasons. I would urge the Trade Subcommittee to reject the granting of NTR to the LPDR regime in 1999, and for the duration of the 106th Congress. Economic and political reforms are badly needed in Laos; it would behoove the U.S. Congress to continue to request and expect such changes, particularly on behalf of the Hmong and the other suffering peoples of Laos, prior to its granting Laos NTR trade status.

Thank You.

LAO VETERANS OF AMERICA, INC.
FRESNO, CA 93727
September 7, 1999

Congressman Philip M. Crane, Chairman
Ways and Means Subcommittee On Trade
233 Cannon House Office Building
Washington, D.C. 20515-1308

Dear Congressman Crane:

I am writing this letter to you and your committee regarding our continued strong objections to the extension of permanent normal trade relations to the Lao People's Democratic Republic (Laos). The Lao Veterans of America, 55,000 strong including 11,000 plus Hmong and Ethnic Lao veterans wives, widows and children have in the past, furnished evidence to the media, to historians, and congress regarding past persecution of Hmong and ethnic Lao by the Lao Peoples Democratic Republic (LPDR) after the Vietnam war. I have attached letters of congressional concern, news articles and other information pertinent to this subject. New evidence of killings and persecutions come to the attention of our organization on a regular basis from our membership. This information consists of cassette tapes smuggled out of Laos and both verbal and written reports from individuals who have visited Laos within the past year. These visits confirm that ethnic cleansing by the LPDR has not stopped. Examples of this ethnic cleansing include continued use of poison gas, indiscriminate killing of innocent civilians, disappearances of former soldiers who supported the United States during the Vietnam war and imprisonment of Christians for conducting religious services. Of particular concern are reports, from independent sources, that the LPDR has hired 6 to 8 man teams to infiltrate Hmong village areas and seed the trails and area with land mines. These reports discussed deaths and loss of limbs that resulted from this tactic. We also understand the LPDR sponsors and pays these teams. *Individuals who have witnessed these recent atrocities and know of these activities as well as the cassette tapes mentioned would be made available to your committee upon your request.*

We believe the current Lao government has not changed nor does it intend to. The fact that no basic rights exist today in Laos, that Laos is a well documented exporter of heroin to the United States, and that the Heritage Foundation still ranks Laos as one of the most repressed economies of the world add to the above reasons for our objection to normal trade status with Laos. Laos today still has no human rights organizations operating in the area where atrocity reports continue. Ambassador Chamberlin stated in a St. Paul Pioneer Press 1998 interview that killing still continues and the Lao government is unresponsive. We therefore believe that the United States government still does not have the true picture of this ethnic cleansing in remote areas of Laos. Finally, testimony before human rights congressional committees is available, as well, for your consideration.

In behalf of all Hmong veterans and their families as well as other ethnic Lao groups who fought for this government we ask that you continue to withhold normal trade relations until basic human rights are restored and monitored in Laos. Only continued pressure on this dictatorship government will save lives that have not yet been lost. Rewarding The LPDR with normal trade relations will mean that past lives, lives given in support of the United States, will have been sacrificed in vain.

Thank you for your consideration of our comments.

Sincerely,

WANGYEE VANG
National President

[Attachments are being retained in the Committee files.]

Statement of Ann Mills Griffiths, Executive Director, National League of POW/MIA Families

Mr. Chairman, Members of the Committee.....I welcome this opportunity to submit a statement on behalf of the Vietnam War POW/MIA families. The timing is vital, and congressional attention could be helpful.

The National League of POW/MIA Families supports Normal Trade Relations with Laos. Our position was formalized by vote of the families many years ago, conditioned on continued and increased cooperation by the Lao Government on POW/MIA accounting issues. Though it was then entitled MFN, rather than NTR, our support then and now is based on the fact that Lao Government cooperation to account for missing Americans has continued to increase and become more effective. Unlike Vietnam, there is little evidence that the Lao Government has purposely manipulated the accounting of our relatives for political and economic gain, but rather responded to a US concern with hope of reciprocity. Yes, they expect and receive compensation for their efforts, just as Vietnam, Cambodia, China, Russia and other countries from which such cooperation is requested.

With limited resources and massive obstacles to overcome, Laos' cooperation to account for missing Americans is making progress, still much too slowly, but steady and predictable in terms of answers for the families. Could more be done? Of course, and we continue to press for greater cooperation, especially in terms of oral history interviews of current and former officials who may have direct knowledge, a sensitive matter for the Lao Government. There is also more than could be done to locate and provide the limited archival records that may exist. Vice Prime Minister/Foreign Minister Somsavad Lengsavad pledged to increase such efforts when we met in May of this year. Laos' record demonstrates that pledges and commitments are implemented, albeit slowly, but implementation occurs and results come.

Throughout the years since the National League of POW/MIA Families was formed in May 1970, there have been many difficulties and obstacles. The POW/MIA issue from the Vietnam War, as compared to other wars, is very different. Not only was there no timely U. S. access to the battlefields, but the US faced a national Vietnamese policy of well orchestrated exploitation of the issue for their political and economic objectives.

The greatest challenges came during the immediate postwar period, and they were very tough to overcome. Then, from 1981-92, the primary US objective with Vietnam was accounting as fully as possible for America's POW/MIAs, anticipating that satisfactory resolution could allow the United States and Vietnam to move toward normal relations after a Cambodia settlement. During this period significant accountability occurred.

The Clinton Administration has rhetorically taken the same public stance regarding highest priority on resolving the POW/MIA issue, and some objectives are being met. The process of joint cooperation is bringing some success, especially in Laos, but POW/MIA accounting from Vietnam has been minimal when compared to long-established expectations.

The most glaring challenge the League now faces is US policy that continues to lavishly praise Vietnamese cooperation, without unilateral actions by Hanoi to account for Americans. Such actions include repatriation of remains that cannot be recovered in the field and accounting for last known alive discrepancy (LKA) cases, linked directly to archival data which Vietnam continues to withhold.

Today, 2,054 Americans are still missing and unaccounted for from the Vietnam War, though there are approximately 200 "sets" of Vietnam War-related remains in varying stages of the identification process. About half of the 2,054 Americans were originally carried as POW or MIA; the other half were original status KIA/BNR, or killed-in-action/body-not-recovered.

Statistical data surrounding this issue changes constantly, but one crucial, though seldom mentioned fact is the US must turn to Vietnam to account for almost 95% of all missing Americans, regardless of where the loss occurred. In Laos, where 442 are still missing, over 80% were lost in areas under Vietnamese control at the time; in Cambodia, the figure is 90% of the 74 US losses. There are also 8 Americans still unaccounted for from the Vietnam War whose incidents occurred in the territorial waters of the PRC.

The League definition of accountability, long ago accepted officially as well, is the missing man returned alive, or his identifiable remains or convincing evidence as to why neither is possible, in which case the individual's name stays on the list as unaccounted for, but there is little to no expectation of further information or remains recovery.

Our expectations, based upon official information and other evidence, have long been realistic. We accept the nature of war that does not allow answers on all the missing. Knowing the historical record, understanding the volume of intelligence data and having witnessed Hanoi's manipulation of the issue for decades, the League also recognizes approaches that work, versus those that do not.

In May of this year, a League delegation met with senior officials in Vietnam, Laos and Cambodia, urging steps that each country, especially Vietnam, could take unilaterally to facilitate answers. We also sought improvements in the bilateral and multilateral cooperative process, a necessary element due to Vietnam's control of the areas where most US losses occurred. The results were encouraging, and we issued a full report that was given to the families at our 30th Annual Meeting in June. A copy of our trip report is attached to this statement. Almost unbelievably, steps since taken by the administration have served to undercut, rather than reinforce the need for implementation of pledges and agreements made by these three governments.

The administration's failure to seriously follow-up initiatives that could be useful in achieving what they claim is the highest priority of bilateral relations with Vietnam—POW/MIA accounting—may relate to their real highest priority—NTR with Vietnam before the end of this year. It is no secret that US Ambassador to Vietnam Pete Peterson has been very actively engaged in lobbying his former colleagues in the House and Senate on that subject. It is also no secret that the Clinton Administration has consistently rejected use of any leverage, political or economic, to achieve POW/MIA and other humanitarian objectives.

The League's opposition to NTR for Vietnam is not ideological, but based upon Hanoi's failure thus far to resume unilateral actions that could account for scores of missing Americans. Manipulation of this issue has been a consistent pattern coming from Hanoi—from Vietnam's leadership, not the Vietnamese people. To objective observers, Hanoi's record over the years proves our point. There is apparent unwillingness, however, by most current US officials to recognize and accept the historical pattern as valid, including Hanoi's failure to account for the most obvious cases of Americans last known to be alive.

Official US statements now refer to last known alive cases as "down to 43" from 196, with no reference to the fact that the remains of less than 50 of these men have been returned and identified or are believed to be in the identification process. The others, if dead, should be the easiest to account for by returning remains, not the hardest, as alleged by Ambassador Peterson and others in this administration, since they obviously were not destroyed in an aircraft crash.

Administration officials also consistently ignore a direct 1985 admission by a member of the Vietnamese Politburo to a White House official that hundreds of remains were being withheld. Since 1990, Vietnam has failed to renew unilateral repatriation of stored remains, and, ironically, US policy-makers seem to accept the Politburo's failure to authorize such full cooperation as somehow proving that there are no more available. Why? Presumably because acknowledging that Vietnam is withholding remains and information, rather than "fully cooperating in good faith" as President Clinton most recently certified to Congress, is counter to the administration's real objective—NTR regardless of the cost to achieving POW/MIA and other humanitarian objectives. We would welcome sufficient unilateral actions by Vietnam that would allow us to support NTR for them as we do for Laos.

Despite this reality, the POW/MIA families continue to support broad-based humanitarian aid to the people of Vietnam, as we do the Lao and Cambodian peoples. We also support a rational policy to meet Vietnam's political and economic objectives—as they meet ours in terms of accounting for missing Americans—not payment in advance in the naive hope that Vietnam will respond in good faith.

We continue to support Normal Trade Relations with Laos, confident that the Lao Government will honor its commitments. We urge Congress to support this step, while scrutinizing the same favorable treatment for Vietnam until and unless the Politburo resumes and increases unilateral actions to account for America's POW/MIAs.

Thank you.



LEAGUE DELEGATION TO SOUTHEAST ASIA

A delegation of the National League of POW/MIA Families visited Thailand, Vietnam, Laos and Cambodia from May 11–22. In Thailand, the Delegation met with US diplomatic officials, Joint Task Force-Full Accounting (JTF-FA) and Defense Intelligence Agency (DIA) Stony Beach personnel. The visit to Vietnam, Laos and Cambodia reinforced to senior officials in each country the families' views regarding the status of efforts to achieve the fullest possible accounting for America's POW/MIAs from the Vietnam War. Representing all of the families were Chairman of the Board Jo Anne Shirley and Executive Director Ann Mills Griffiths. Richard T. Childress, National Security Council (NSC) Director of Asian Affairs from 1981–89, during both Reagan terms, and a Vietnam veteran, agreed to the unanimous request of the League's Board of Directors to serve as adviser on this mission.

In each country, the delegation was briefed by US Embassy, Joint Task Force-Full Accounting (JTF-FA) and Defense Intelligence Agency (DIA) personnel. Prior to departure, the Defense POW/MIA Office (DPMO), JTF-FA and the Central Identification Laboratory (CILHI) were very helpful in preparing updates on material that was utilized during the trip. The logistic support provided by all US Government organizations/agencies was invaluable, ensuring that the League Delegation's mission was carried out smoothly.

BACKGROUND

This was the fourth League Delegation since the end of the Vietnam War in 1975. The first was in 1982, just after it was apparent that priority would be raised in the Reagan Administration. From 1983–1993, the League's Executive Director represented the POW/MIA families on numerous US Government delegations in which Childress also participated until 1989, including those led by former Presidential Emissary/Chairman of the Joint Chiefs of Staff General John Vessey, USA-Retired. A League Delegation in 1994 was comprised of former Chairman of the Board Sue Scott, Board member Colleen Shine and the Executive Director, who also participated in 1994 and 1995 missions led by Presidential Emissary Hershel Gober, then, as now, the Deputy Secretary of Veterans Affairs.

A League Delegation in May of 1997 included Board Chairman Jo Anne Shirley, Board member/returned POW LTC David Gray, Jr., USAF-Retired, and the Executive Director. At that time, it was the Board's view that the League should attempt to send a delegation every two years to conduct an on-the-scene assessment of efforts and to ensure that all governments involved understand the families' views. In January of this year, the Board made the final decision on the current mission, and, fortunately, the timing coincided with Childress' travel on business in the region. He graciously altered his schedule to hold over in Bangkok awaiting the League delegates' arrival before all embarked to Vietnam, Laos and Cambodia.

TIMING AND PURPOSE

The League has had both policy and operational concerns for the past several years. Our concerns stem from the destruction of POW/MIA criteria in the "road-map" on normalization of relations with Vietnam, the abolition of the POW/MIA Interagency Group, the consistently glowing remarks on the status of the issue from policy officials who are truly unfamiliar with the issue, the lack of integration of the issue into US foreign policy, the "turf battles" among US Government agencies and organizations with POW/MIA responsibilities, senior-level downgrading of accountability expectations, and the lack of new initiatives to move this issue toward resolution.

This state of affairs has generated perceptions by Vietnamese and, to a lesser extent, Lao and Cambodian officials that the US Government and, by extension, the American public is satisfied that all that could possibly be done is either underway or completed. While the families, informed veterans, some in Congress, and many current and former officials know this is not true, the perception hampers implementation of what is stated as a highest priority.

Since President Clinton has repeatedly certified to Congress that Vietnam is "fully cooperating in good faith" to resolve the issue, or similar such language, it was considered very important to convey to senior Vietnamese, Lao and Cambodian leaders the families' views on what we consider full cooperation, to reinforce the positive aspects of the government-to-government efforts, and provide our frank assessment of where improvements are needed. It was also timely to conduct an assessment due to the Clinton Administration's publication of a National Intelligence Estimate (NIE); the declassified summary seriously downgraded, even dismissed, earlier intelligence assessments on which long-standing accounting expectations have been

based. The League Delegation also sought firsthand knowledge from participants in the joint accounting process, both US officials and those of Vietnam, Laos and Cambodia.

The Clinton Administration is moving to reach a trade agreement with Vietnam and grant Normal Trade Relations, or NTR, (previously Most Favored Nation status) by the end of this year. Therefore, the Delegation looked closely at the level of Vietnamese cooperation, as well as that of Laos and Cambodia. Other priorities included seeking improvements in the accounting process—the US Government’s approach to both joint activities and unilateral efforts by the governments of Vietnam, Laos and Cambodia—to ensure that all available assets and resources, including DIA’s POW/MIA team, Stony Beach, are being fully utilized to expedite and increase accounting results.

In the view of the League, veterans, former and current US officials, and key Members of Congress, cooperation in “full faith” requires renewed unilateral actions by Vietnam. The Delegation reinforced this position, as well as the continuing need for joint field operations, particularly in Laos. Joint field activities alone cannot achieve the fullest possible accounting; increased unilateral effort by Vietnam is required, including effort to locate and return identifiable remains. Without such effort, “full faith” cooperation by that government is not a sustainable conclusion.

We believe we made progress on all of these issues, but ultimate success will be dependent upon effective follow-up by the US Government and a sincere effort by the governments of Vietnam, Laos and Cambodia to carry out the welcome commitments made to us, as outlined in this report. We found some very dedicated, hard-working military and civilian personnel in JTF-FA, Stony Beach and on the US Embassy staffs who care deeply about their mission.

We also found evidence of “turf wars” that are hampering the most effective pursuit of the issue and attitudes among some that simply reflect the current administration’s policy of pursuing the issue without interfacing with other priorities. These problems are of concern, and the League is providing specific recommendations to our government. We believe the executive branch can solve them and that is our expectation. Such problems are unnecessary obstacles to a truly effective effort and waste some of the considerable resources dedicated to obtaining the fullest possible accounting.

While this and other trips cost the League significant resources, we believe they are worthwhile, an attitude expressed to us by officials of all governments. By providing continuity of objective expectations and a critique by the families on a regular basis, we can bring new ideas and, hopefully, revitalization of government-to-government efforts which we support as the only possible means to receive answers.

THAILAND

In Bangkok, final preparations were made for discussions in Hanoi, Vientiane and Phnom Penh. The Delegation met with the US Ambassador to Thailand, Richard Hechlinger, DIA’s Stony Beach Chief COL K.C. Marshment, USA, and LTC Jeff Smith, USAF, JTF-FA Detachment 1 Commander. The support and assistance provided by JTF-FA and Stony Beach immediately prior to departure for Hanoi are deeply appreciated and were most helpful. Another significant contribution during the time in Bangkok was the gracious hospitality of Ambassador Hechlinger in making his official Guest House available for the League’s use, saving the League funds otherwise necessary for the trip.

VIETNAM

The first meeting was at the US Embassy with US Ambassador to Vietnam Douglas “Pete” Peterson, during which the Ambassador provided his views on bilateral interests in general as well as where he feels things currently stand on the issue. The League Delegation conveyed to the Ambassador the purpose and approach to be pursued while in Hanoi. This was followed by a lengthy, very interesting session at JTF-FA Detachment 2, commanded by LTC Matt Martin, USA. The level of knowledge and the depth of the briefing on current JTF operations was helpful, as was the direct interchange between all participants. The support of MSgt Ron Ward, a skilled Vietnamese linguist, was greatly appreciated, including an added requirement to make adjustments to an already full schedule.

The Delegation would have gained useful insights from a proposed visit to the site of an ongoing underwater excavation, but time requirements precluded accepting the invitation. The need to first meet with appropriate senior officials and lay out the concerns and initiatives, then discuss in greater detail and provide suggestions for implementation to representatives of the Vietnam Office for Seeking Missing Persons (VNOSMP), allow time for policy-level Vietnamese consideration, and then

a wrap-up meeting with VNOSMP, at which the League Delegation would hear the consensus response of the Vietnamese Government, precluded spending an entire day traveling to and observing a joint field operation.

Meetings were held with three senior Vietnamese officials—Vice Minister of Foreign Affairs Nguyen Dinh Bin, Vice Minister of National Defense LTG Tran Hanh, and Vice Minister of Public Security Services (prior Ministry of Interior) Nguyen Khanh Toan. Each discussion focused on the need to find solutions to problems that are impeding efforts to achieve the fullest possible accounting. The Delegation defined that objective, shared by all involved, as the man returned alive, or his identifiable remains or convincing evidence as to why neither is possible. It was clearly noted that archival records, while of intense interest to many in the US and elsewhere, become critical to the families only in the absence of the man alive, his identifiable remains or if such records provide leads that can determine fate or recover remains.

The League noted that since the trade embargo was ended in 1994 and bilateral relations were normalized in 1995, the expected increase in accounting results had not occurred. The League urged further expansion of unilateral efforts to locate remains, archives and sources of information, including on cases of Americans missing in Laos and Cambodia. (According to US officials, unilateral investigative efforts in Laos are bringing increasingly useful information.)

Five specific areas were raised as warranting attention. These included the need for renewed unilateral efforts, provision of archives regarding incidents in Laos and Cambodia, expanded research to locate additional records on cases in Vietnam, improved use of assets and resources, and the need to expedite the step-by-step investigative process to facilitate more rapid results. Each Vice Minister was asked to support later, more detailed talks with VNOSMP members.

The Delegation noted a growing sense of impatience and urgency on the part of family members and American veterans due to the passage of time and advancing ages of both family members and sources. The League expressed concern that opportunities are being missed, since despite increased military-to-military contacts between the two countries, dedicated Stony Beach assets have not been fully utilized on POW/MIA matters. Noting that US Government sensitivity and reluctance could stem from lack of knowledge regarding history and the origin of defining the issue as humanitarian, the League clarified that all US officials with POW/MIA responsibilities, including Stony Beach personnel, have only one agenda—the accounting for missing Americans—and expressed the hope that Vietnam would welcome use of all qualified personnel, including DIA's Stony Beach, who could help focus the effort to bring increased results.

Finally, the Delegation expressed appreciation for some improvements in joint operations since the first excavation in 1985, but noted concerns that the step-by-step approach on case resolution may be a reflection of process overtaking results. Following a well-received explanation of historical negotiations and initiatives by the League's adviser—what worked and what didn't work—there was clear understanding and acknowledgment by senior Vietnamese that more can and should be done. The League expressed confidence that Vietnam could unilaterally take significant steps to expedite answers.

All of the Ministers stated their government's commitment to continue cooperating fully with the United States on a humanitarian basis, separate from other issues, and offered assurances that Vietnam is doing its best to provide support and assistance. They rejected any suggestion to the contrary, but noted that they could and would work harder and encouraged further dialogue with VNOSMP to discuss initiatives that could move the process forward.

The Ministers also stated their understanding of the need to expedite results in view of the advancing years of both family members and potential sources. They added, however, the notion that the work is becoming harder since the "easiest cases" had been resolved, leaving both governments with the "most difficult cases" still requiring attention. This was a recurring theme that the League is not yet convinced is supportable without greater unilateral Vietnamese initiative.

Vice Foreign Minister Bin was very familiar with the status of the issue. He indicated that all visiting delegations—congressional and veteran—have commended Vietnam's cooperation and assistance. He noted that although the Vietnamese people had suffered tremendous losses, they help with the accounting effort out of a spirit of cooperation and humanitarian concern. As anticipated, and reflecting some US Government public statements, Minister Bin noted that only 43 Last Known Alive (LKA) cases remain under investigation. However, as the League indicated in its updated material, relatively few have been accounted for through return of identifiable remains and only 10 remains now at CILHI are believed to relate to Ameri-

cans previously listed as LKA cases. Further, fate determinations, important as they are, do not resolve the accounting issue.

Vice Minister Hanh (MND) was equally well versed and voiced many of the same points, as did Vice Minister Toan. Both characterized the decrease in remains repatriated as "realistic" since the easy cases had long ago been solved, a consistent theme. Minister Hanh noted that there are increasing problems as the VNOSMP seeks cooperation of local citizens, citing the extent of effort made to investigate the Phou Pha Thi (Lima Site 85) incident and that a primary witness to that incident, now 75 years old, is unwilling to participate further. Despite these realities, Vice Minister Hanh welcomed the list of problem areas that the League believes should be central and pledged to work with the US to address them.

The initial working session with the VNOSMP, chaired by Mr. Nguyen Ba Hung, Deputy Director of North American Affairs, focused in greater detail on the key areas raised to the Vice Ministers. After first explaining that the League's primary purpose was to seek solutions, not cast aspersions or place blame, greater detail was provided regarding the areas that need attention, and League suggestions on specific initiatives to be discussed.

In exploring the area of archival research, the League pointed out examples: Politburo records, service level intelligence documents, and documents such as the Group 559 Summary of incidents along the Ho Chi Minh Trail, that raise logical questions, rather than bring answers. Indicating our view that the archival effort is incomplete and requires further effort, the League suggested various approaches for consideration. It was apparent from the reaction of long-standing VNOSMP members that official US explanations to the League and the public since 1992 have been inadequate in describing efforts that took place in the early 1990s; the US Government needs to ensure that the families are fully informed.

The VNOSMP Chairman indicated that archival research was allowed precisely because the SRV understands that documents are crucial when remains are not available. A senior VNOSMP official provided details about the nature of efforts by the joint Archival Research Team (ART) from 1992-95, a thorough description that was helpful, informative and appreciated. Many of the details provided by the Vietnamese were unknown to the League Delegation, thus the families. The League has requested a full rundown on the ART effort from 1992-95. (Poor communication by the US Government can be directly attributed to the Clinton Administration's decision to terminate the POW/MIA Interagency Group in which the League Executive Director participated as a full member from its formation in 1980 until terminated in 1993.)

The League raised a serious concern that films turned over to German television producers for commercial purposes had not been fully reviewed by the US. The Vietnamese acknowledged the potential problem and said that these and all other films will now be jointly screened before release.

On the subject of further efforts on archival research to help resolve incidents that occurred in areas of Laos and Cambodia where Vietnamese forces operated during the war, the League proposed consideration of four-party discussions between officials of Laos, Cambodia, Vietnam and the United States. Noting first that any such multilateral conference would require structure and an agenda agreed upon by all parties on an equal basis, the League suggested that the initial topic should be archival research and noted our intention to raise the concept during upcoming discussions in Laos and Cambodia. VNOSMP's reaction was positive, but their apparent first priority was to focus on resolving difficulties that arise in dealing with the border cases.

The first session with VNOSMP ended by their noting that although a great deal of work had been done, as evidenced by the lengthy description of actions by the ART, Vietnam has continued archival research and turned over additional documents since the ART's work had ended. The VNOSMP Chairman pledged to continue the effort, both unilaterally and jointly, and to revitalize the previous ART effort, offering to coordinate a specific plan with JTF Detachment 2.

VNOSMP also appealed for more US continuity by extending the tour of the JTF Detachment Commander from one to two years. Further, they stated that the current pace of Joint Field Activities (JFAs) interferes with unilateral efforts that they wish to accomplish, noting that the previous schedule of 30-day breaks between JFAs no longer applies. The VNOSMP suggested efforts need to be made to decrease unnecessary field work to allow more time for periods devoted exclusively to unilateral work. They specifically stated that they want to do more unilaterally and asked that this message to be brought back.

At the wrap-up meeting the following day, the official Vietnamese Government position on the five points raised by the League was provided, initially in an oral presentation and formalized in writing, dated Hanoi, 14 May 1999, in a document enti-

tled "REGARDING THE 5 AREAS OF CONCERN AND PROPOSALS OF THE NATIONAL LEAGUE OF US MIA FAMILIES."

In addressing the five specific areas raised by the League, VNOSMP expressed appreciation for the suggestions that they view as a "reflection of the concern and great responsibility of the League's leadership." VNOSMP went on to state that the suggestions would "enable the VNOSMP and the US agency seeking missing Americans, our direct contact of which is the MIA office in Hanoi, to seriously research and examine the process" of efforts to account for Americans still missing from the war. League areas of concern are provided below in bold type, followed by the official Vietnamese response and League comments.

Unilateral repatriation of remains essentially halted in 1990. The League wishes to explore ways to reenergize these efforts and has developed some ideas. We look forward to discussing them, to include the repatriation of remains and remains fragments, and soliciting Vietnamese ideas as well.

While joint operations have improved in very positive ways since the first excavation in 1985, the League has concerns that the incremental, step by step approach in research is a reflection of process overtaking results. We are convinced that Vietnam can take significant steps unilaterally to identify site locations for more immediate excavation, bypassing some of the ponderous incremental investigative steps now being conducted bilaterally.

SRV On Unilateral Vietnamese Efforts: "VNOSMP completely agrees with the League's proposal that in the unilateral process, Vietnam's specialists will be proactive in developing investigation requirements provided by the US, with the objective of attaining the best results." The VNOSMP also pledged to "increase unilateral activities such as investigations, recovery of remains which citizens voluntarily provide, site surveys, archival documents relating to US personnel missing from the war, searching for witnesses, etc. In this process, VNOSMP will consider as a priority the task of finding the fullest possible answers to discrepancy and last known alive cases, paying attention to the cases that the League is concerned about in the 'Blue Book Document' handed over to the VNOSMP in 1994, updated in the 'Black Book Document' handed over to the VNOSMP during the League Chairman's and Executive Director's visit to Vietnam from 12 to 14 May 1999."

Comment: The League has long maintained that renewed and increased unilateral efforts by Vietnam are needed. A "proactive" Vietnamese effort, if seriously implemented, would expedite concrete accounting results and bring greater efficiency to the joint field operations; however, as can be noted, there is still too much emphasis on leads provided by the US.

SRV on Recovering and Repatriation of Remains—"The VNOSMP will continue to increase encouraging Vietnamese citizens to turn over missing American service member's remains, through veterans organizations and other societal organizations at the local area throughout the nation in order to collect information and remains associated with individual American service members missing from the war."

Comment: In the oral presentation, the Vietnamese acknowledged previous remains recovery and storage in various locations that were the most accessible and turned over unilaterally. Hopefully, this new commitment will bring forward those remains not yet repatriated. Since 1986, the Government of Vietnam has made occasional public announcements urging citizens to cooperate in searching for American remains and has published official directives through People's Army of Vietnam and Communist Party channels. This current commitment, in response to the League's suggestions, extends to a broader audience and provides a logical vehicle for expanded unilateral efforts that can bring forward increased accounting results. The Vietnamese also noted their efforts to block remains trading which they try to balance with encouraging the voluntary turnover of remains by citizens.

85-90% of losses in Laos and Cambodia were in areas under PAVN control. The League has made requests to Vietnamese officials on numerous occasions to provide such records. Officials from Laos and Cambodia, as well as US officials, have made similar requests for many years with no response. The League has developed ideas concerning this problem which we look forward to discussing, and we are also eager to solicit Vietnam's solutions.

On Trilateral Cooperation/Four-Party Conference—"The VNOSMP pledges to continue active cooperation with Laos and Cambodia in resolving the cases along the Vietnam-Laos border as well as the Vietnamese-Cambodian border; agree with the League's idea that holding a trilateral technical meeting between Vietnam, Laos and Cambodia with the participation of a US government representative is crucial to raising effectiveness and cooperation, since these cases remaining are the most difficult."

Comment: Whether "technical" or policy level, or a combination, a Four Party Conference to address specific concerns will, of necessity, require policy level en-

dorsement by each government. (The concept for such a conference is discussed later in this report.) The first “trilateral” conference, hosted by Vietnam in 1995, did not include Cambodia. While some of the border cases are difficult, they are made more so by Vietnam’s failure to date to provide relevant documents, despite requests from the US, Lao and Cambodian governments. Vietnamese concerns on border coordination do not address the archival gap raised by the League in the context of a Four Party Conference. Vietnam has identified some sources and made them available for interview, but not to the extent necessary to increase results that greater effort could produce.

The archival research effort is incomplete and raises more questions than answers. The League has developed discussion topics and ideas that we look forward to exploring with Vietnamese officials.

SRV on Archival Research: “The VNOSMP will continue efforts to find files and documents associated with American personnel missing from the war, and if found will turn them over to the US government.”

Comment: Recognizing that there are cases where remains will not be recoverable, the quality of cooperation on this important aspect of the accounting effort is crucial and needs improvement. Lao and Cambodian officials recognize that success in the accounting effort in their two countries depends in large measure upon obtaining relevant files and access to firsthand sources of information who served in the areas where incidents occurred. While some progress has been made in this area, the vast majority of files and documents thus far received pertain to returned POWs, not Americans still missing.

Diplomatic relations has been restored and military to military contacts are developing. These are positive steps, but exchanges in the context of resolving the POW/MIA issue have not been fully utilized. Much of the reluctance on the US side, mistakenly in the League’s opinion, relates to misunderstanding the origin of defining this issue as humanitarian and not being aware of past history. The League has some ideas on this subject that we wish to discuss, and solicit Vietnamese ideas on this as well.

SRV on Full Utilization of Resources: “The component of US MIA teams operating in Vietnam which the US sends to Vietnam must have the aim and objective of searching for missing American service members only, absolutely no other work, and must follow every rule and law of Vietnam.”

Comment: In their oral presentation, the Vietnamese stated that the integration of teams was no problem as long as team members only do “MIA work,” a welcome statement. This subject was raised due to some US Government reluctance to allow trained collectors in Stony Beach to participate on teams conducting in-country investigations. Since 1992, the members of DIA’s Stony Beach team have rarely participated, thus squandering the experience, language and training to maximize time spent on and the quality of field investigations and surveys.

Vietnam’s agreement (and later agreement by the Lao Government) to permit personnel sent by the US Government, so long as their mission is limited strictly to POW/MIA matters, clears the way for renewed Stony Beach involvement. The Cambodian Government has allowed the US to use whatever resources it deems appropriate to pursue answers on America’s POW/MIAs and has cooperated closely with DIA’s Stony Beach team. Hopefully, there will be no further excuses from the US Government for not using all available assets to achieve the fullest possible accounting.

Assessment: Vietnam’s specific commitments are welcome, as was the frank, open dialogue. Implementation and results will be the key to gauging their seriousness since countless promises have been made and broken in the past. Implementation of these pledges should be closely monitored by the US Government and Congress and will be closely watched by the League. Results must be reported accurately by all involved to the families and the American people. The League hopes to report later that the commitments are being carried out and greater results are forthcoming.

Assessment (continued): The Four-Party Conference offers an opportunity to expand the accounting process into new areas of cooperation. To succeed, all parties must give careful consideration to structuring sessions so that they will be productive for the issue and useful in moving the accounting effort in a positive direction. This League initiative is intended to break the endless passing of papers which the Vietnamese also indicated has little utility. Properly structured, this initiative can result in real exchanges on potential solutions and information that increases accounting—the key measure of success for us.

LAOS

The League Delegation first met with US Ambassador to Laos Wendy Chamberlin to get an update on her views regarding the broader spectrum of US-Lao relations; she assessed the level of POW/MIA cooperation as increasingly responsive, helpful and productive. In preparation for subsequent discussions with senior Lao officials, the Delegation also met with and was briefed by LTC Bob Gahagin, USA, Commander of JTF-FA Detachment 3, and other members of the JTF and US Embassy staff. These sessions, including extended time with JTF-FA Detachment 3 personnel, were most helpful and appreciated, as was the hospitality of Ambassador Chamberlin in accommodating the League Delegation at her official residence, as she did in 1997. The Ambassador also hosted a dinner in the League Delegation's honor, inviting Lao guests.

The most senior meeting with the Lao Government was held with Deputy Prime Minister and Foreign Minister Somsavad Lengsavad. The League Delegation met with this key official for cordial and very constructive discussions. Ambassador Chamberlin, LTC Gahagin and JTF linguist/specialist Bill Gadoury accompanied the League representatives. Informal discussions were also held with H.E. Soubanh Srithirath, Minister to the President's Office (former Vice Minister of Foreign Affairs), who hosted a private luncheon.

The same general points were raised in each official meeting, and the Delegation appreciated discussions with LTG Ai Soulinaseng, Vice Minister of National Defense (MND) and COL Sisophon Bangonesengdet (known to the League since 1982), MND Director of the Foreign Relations Department. Detailed talks were held with Mr. Amphone Phiphachommachanh, Acting Director General, Department of European and American Affairs, Ministry of Foreign Affairs (MFA) and the Lao ADHOC (POW/MIA) Committee. Mr. Amphone also graciously hosted a dinner for the League Delegation.

The League expressed appreciation to Deputy Prime Minister Somsavad for the significant progress achieved through bilateral cooperation over the years since the first post-war League delegation in 1982. Improvements in the joint field operations, initiated in 1985, were recognized, as was the increased flexibility and positive attitude now evident on the part of Lao officials. Noting the continuing need for the process to be studied and improved, the League suggested that the Lao Government should also continue seeking ways to expedite results.

Several specific areas were then addressed, including the increase in Lao unilateral investigations, cited as a very positive step on which many future efforts depend. Noting that such efforts are key to identifying relevant archival materials, obtaining information from current and former Lao officials with personal knowledge of U.S. losses, and conducting advance preparation for joint field operations, the League requested an increase of 2-3 people to the Lao team. Now numbering only 10 Lao officials, the League suggested that it is extremely difficult for so few to handle all unilateral Lao efforts and expressed the hope that the request would receive serious consideration.

Noting that since the Delegation's arrival in Vientiane a Lao citizen had brought remains to the US Embassy and turned them in, the Delegation expressed appreciation for the Lao Government's assistance in encouraging such humanitarian actions. A request was made for further announcements to be made on a regular basis, using channels of communication at every level.

Another area of concern raised by the League is the need for Lao language specialists that are often difficult for the US Government to identify and hire. Recognizing that there had been sensitivity in the past to using such personnel, the League expressed the view that due to the passage of years and long-standing US Government support of continued improvements in bilateral relations, such sensitivities should no longer pose any obstacle. The League urged understanding of this problem by the Lao Government and requested acceptance of ethnic Lao-Americans to ensure that positions can be filled with the most qualified personnel. It was pointed out that assistance by such linguists is critical not only to accomplish successful joint investigations and excavations, but also to facilitate the medical treatment of Lao citizens that is conducted during each joint field activity.

Raising the need to maximize effectiveness during joint field operations, the League also requested utilization of all resources, including those with language and collection qualifications, and consideration of expanding the total number of US officials from 40 to 50 during the months when conditions are best. In this context, and recognizing the limited resources of the Lao Government, the expansion in number was encouraged due to the backlog of excavations now pending, with the passage of time decreasing the likelihood of answers.

Noting that the League Delegation had just come from meetings with senior officials in Hanoi, the key Vietnamese commitments that relate to Laos were explained, including Vietnam's agreement to the proposed Four Party Conference to deal with specific concerns, such as resolution of the border cases. Also noted was the fact that the League's only interest is in documents that relate to the POW/MIA issue, both policy concerning handling of POWs and remains, and information that could help resolve individual cases. Lao views on the concept of the Four Party Conference were also requested. LTG Ay indicated that the Ministry of Defense had held meetings and seminars to explore ways to help in the accounting effort and that this is a continuous process. He noted that the terrain in Vietnam is easier to deal with than in Laos. On documents, LTG Ay said they need them from Vietnam and hope to obtain more.

Deputy Prime Minister Somsavat provided assurance of the Lao Government's continuing commitment to do its best to resolve the issue, noting that such cooperation is not linked to any other issues. The Minister seemed pleased that the Lao unilateral team was viewed as productive by the League and the US Government, a view with which he agreed, and pledged to intensify such efforts. (In a later working session, the Lao indicated that they have begun oral history interviews at the local level, described as a "bottom-up" approach.) Somsavat agreed to consider additional personnel, but added that there is a limit to the number of Foreign Ministry personnel and that existing requirements were already heavy, with too few people to handle them. In response, the League suggested assigning additional military personnel for this purpose, a suggestion Minister Somsavat agreed to consider.

The Minister was pleased to see progress from official efforts to encourage Lao citizens to cooperate by providing information and remains, and agreed to make further such announcements on a regular basis, using established channels throughout the country. He discussed the concept of a meeting of officials from various levels that he would convene and allow US Government representatives to lay out their concerns and ideas—a welcome initiative which needs follow-up by the US Government.

Minister Somsavat qualified his acceptance of skilled language specialists by stating that such officials should focus solely on POW/MIA and adhere to Lao law and customs, but agreed that the Lao Government was willing to determine suitability with the US. The request to expand the US team beyond the 40 per joint field operation was rejected, noting that the joint field teams have now increased efficiency, even completing operations ahead of schedule, thus there appeared to be no need for any expansion at this time.

The Minister endorsed the concept of the Four Party Conference, noting the Lao Government's previous offer to serve as host. Concerning archival research and documents, the Minister acknowledged that Lao records are incomplete, but indicated that the Lao ADHOC (POW/MIA) Committee could focus on further archival research in phase two of its efforts, once its reviews of wartime film at national and provincial levels have concluded. Minister Somsavat also stated that Vietnamese records should be relevant and useful, indicating that prior Lao Government requests had gone unanswered, but would be renewed.

Assessment: The strategy for discussions with the Lao Government posed entirely different challenges from those faced in Vietnam. The decision-making process in Laos on POW/MIA matters is now focused on His Excellency Somsavat Lengsavad, Deputy Prime Minister and Minister of Foreign Affairs, thus discussions with him came as the final, wrap-up meeting. The exchanges at every level were cordial, straightforward and sensitive to the need of the families for answers as rapidly as possible. Minister Somsavat was open to League proposals and had the authority to respond, with no requirement for further consultations.

The League Delegation was pleased with the initiative to host a Lao officials meeting and with positive responses on the concept for the Four Party Conference, expanding the Lao unilateral team, and willingness to accept ethnic Lao American team members so long as they focus solely on POW/MIA matters and are sensitive to their surroundings. US Government follow-up is needed to get additional personnel assigned to Lao unilateral efforts, to operationalize the Lao officials meeting, and to structure the Four Party Conference. In view of existing requirements and anticipated increases, the Lao need to be more flexible on the number of US personnel allowed in-country for joint field operations. As is always the case, the League will be closely monitoring Lao and US Government implementation.

CAMBODIA

Though there are only 74 Americans still missing and unaccounted for in Cambodia, this devastated country, by all known assessments, including the League's,

“fully cooperates in good faith” with the US on efforts to account for missing Americans. Since inception of the cooperative process in 1992, Cambodian officials have consistently provided outstanding cooperation, conducting unilateral actions to assist and support joint field operations in every way requested by the United States.

Background: Prime Minister Hun Sen, then serving as the Cambodian Foreign Minister, agreed to the League’s 1984 request to accept the case files of all Americans then missing and unaccounted for in Cambodia, pledging to do what he could on a humanitarian basis. (This occurred long before there was recognition of Cambodia, then still occupied by Vietnam, much less government-to-government cooperation in the field.) Since that time, JTF-FA and CILHI have conducted site excavations whenever and wherever a location was confirmed, often under very difficult circumstances.

There has also been close cooperation with DIA’s Stony Beach Team in conducting investigations and archival research, unless interrupted by US Government sensitivity. The tragic plight of the Cambodian people under the Khmer Rouge regime from 1975–78, as well as political turbulence since that time, has complicated efforts to account for Americans still missing in that country, as has the fact that 90% of the losses in Cambodia occurred in Vietnamese-controlled areas. Despite these obstacles, the Cambodian Government has made available senior historians and other officials, including a very active POW/MIA Committee, to pursue whatever leads and avenues have been suggested by the US.

The League appreciates the hospitality afforded by US Charge d’Affaires Carol Rodley in hosting a reception for the League Delegation at the Ambassador’s Residence (Ambassador Ken Quinn was out of the country), as well as the support and information provided by US Defense Attache COL Bill McMillan, USA, COL K.C. Marshment, USA, Stony Beach Team Chief, and LTC Jeff Smith, USAF, JTF-FA, and other members of the US Embassy staff in Phnom Penh. The brief visit to Cambodia was filled with important and useful meetings, resulting in positive responses and firm commitments.

Immediately after arrival at the airport in Phnom Penh, the League Delegation went directly to meet with Prime Minister Hun Sen at his residence, accompanied by Charge d’Affaires Carol Rodley and other US officials. The League Delegation first expressed sincere appreciation for the outstanding support and cooperation since inception of bilateral cooperation, despite the multiple tragedies and loss of loved ones that the Cambodian people have suffered.

The League recognized some of the difficulties found in working to account for Americans missing in Cambodia, especially the fact that 90% of the US losses occurred in areas then under Vietnamese control. Noting the importance of trilateral cooperation on these border cases, the Prime Minister was again urged to raise the need for archival documents and witnesses during future contacts with his counterpart, Vietnamese Prime Minister Pham Van Khai.

In the context of pursuing information and leads on individual cases, the League presented a partial list of Vietnamese officials who had served in Cambodia and would likely be known to current and former Cambodian officials, requesting that unilateral Cambodian efforts be made to locate them for interviews. (The list was a duplicate of that provided to senior Vietnamese officials in the hope that the two governments would cooperate in locating these individuals.)

Referring to the Prime Minister’s previous letter in answer to the League’s January request, the Delegation expressed appreciation for his pledge to seek information from former Khmer Rouge officials. Noting that unilateral Cambodian interviews are more likely to succeed in screening such individuals for relevant information, the League suggested that follow-up interviews by the US could then occur, as needed. A request was made that these efforts proceed as quickly as possible in view of the advancing age of sources and family members who long for answers.

Recognizing the need for trilateral and multilateral cooperation, particularly with archival research, the League proposed the concept of the Four Party Conference and requested the Prime Minister’s views, noting that the subject had also been raised in Hanoi and Vientiane.

Finally, the League expressed regret over the lack of a more active US Government POW/MIA effort in Cambodia over the last two years, noting the rationale for decreased activity as being a reflection of political and safety concerns by some, not decreased interest. The League expressed optimism that an active program would now resume and gratitude that H.E. Chey Saphon was still eager to participate, noting his long-standing relationships with Vietnamese and Lao historians as especially helpful.

Prime Minister Hun Sen first briefed some present (who did not know) on the history of cooperation between the League and Cambodia, stating his commitment to continue doing whatever is needed to assist and that he considers cooperation on

this issue as a responsibility. He noted that the Cambodian people have suffered and lost so many family members that they understand and want to help on a humanitarian basis. He also expressed sensitivity to the hardship of uncertainty, mentioning that he had written a song about the subject of missing loved ones.

On the subject of trilateral cooperation, the Prime Minister stated that after 1970, the border areas were mostly under Vietnamese control. He stated that Vietnam also would have information on cases in Laos, thus the importance of trilateral cooperation, adding that during that time forces were traveling back and forth along the border. He noted that within the week, he would be meeting with the Vietnamese Prime Minister and would use that opportunity, as he had before, to personally raise the need for Vietnam's assistance on archival records and ask him to urge the Vietnamese people to cooperate.

In that same context, Prime Minister Hun Sen stated his strong support for the Four Party Conference, indicating that Cambodia would host the first such meeting, after consulting with Vietnam and Laos. He noted that trilateral meetings had been held in the past, but not yet the four parties all together. The Prime Minister stated his intention to assign his son (1999 graduate of West Point Military Academy) to the Cambodian POW/MIA Committee. He expressed his hope that his son might be able to participate in organizing the Four Party Conference during the summer months before returning to New York to continue his education, pursuing a graduate degree in economics.

The Prime Minister agreed with the need for getting access to former Khmer Rouge officials, noting that some may have information and pledged to take advantage of opportunities to obtain answers. He indicated that in the case of highly visible Khmer Rouge, such as Duch and Ta Mok, their attorneys would need to be present for interviews, but expressed hope that the humanitarian mission would allow them to be questioned about US MIAs. He pledged that they would make every effort to locate sources of information and expressed appreciation for the list that the League had provided.

The Prime Minister also stated that LTG Pol Saroeun, head of the POW/MIA Committee, having persuaded KR defections from Pailin, has responsibility for the mission and the ability to get information from the Khmer Rouge immediately as Deputy Commander in Chief of the Armed Forces and Chairman of the Joint Staff. He added LTG Saroeun also is tasked with reforming the Cambodian military forces, can write orders for them, and is publicly well known and admired by the Cambodian people.

Comment: The Prime Minister was cordial, expansive and responded positively to all suggestions and requests. The importance of gaining Vietnam's cooperation was a theme that Prime Minister Hun Sen reinforced in several instances. The League responded that he and other Cambodian officials likely have unique influence with the Vietnamese leadership that neither the League nor the US Government possesses. In dealing with Vietnam and Laos, implementation of the commitments of all governments involved, including the US, must be closely watched to ensure follow-through and to measure results. In Cambodia, commitments are honored and implemented unless the US Government does not follow through, as has been the case during the long delay. Hopefully, that situation is now resolved, implementation can and will occur without further impediment, and progress will result.

The same key points were raised with HRH Prince Norodom Ranariddh, President of the National Assembly, who also has a well-established history of support for the League's efforts. In addition to expressing appreciation for his personal support and that of the Cambodian government, the League suggested introduction of a Joint Resolution of the National Assembly and the Senate offering full bipartisan support for obtaining the fullest possible accounting for missing US personnel.

Prince Ranariddh immediately agreed to introduce the resolution and was confident that there would be no problem with passage in either the National Assembly or the Senate, stating his intention to call His Excellency (H.E.) Chea Sim, President of the Senate. He stated his plan to visit Hanoi the next week for meetings with the entire leadership, during which he would raise the need for their full cooperation on the cases of Americans still unaccounted for in Cambodia.

Comment: As in the past, His Highness was most cordial and responsive. The discussions made clear that Cambodia's cooperation on POW/MIAs spans the breadth of all parties in the newly formed coalition government, assurance that was welcome to the League Delegation, though anticipated.

H.E. Chea Sim, President of the Senate, was attentive to the League's concerns, as in prior meetings. He expressed appreciation for the League's recognition of Cambodia's efforts to assist and agreed to work with Prince Ranariddh to ensure that a Joint Resolution is passed in the Senate. He stated his full confidence in LTG Pol Saroeun and Chey Saphon, historian, to implement the Four Party Conference, for

which he also stated full support. (Since returning from the trip, H.E. Chea Sim has already sent a letter to the League stating his strong support for our "noble mission" and readiness of the Royal Cambodian Government to cooperate closely, plus "undertake further steps to address the concerns of POW/MIA families.")

Their Excellencies Sar Kheng and You Hockry, Co-Ministers of Interior, were gracious in time and attention during the League Delegation's presentation that covered the same key points. (The two ministers had met with League Delegations in the past.) Minister Sar Kheng stated that Cambodia would continue to cooperate fully, that there were no internal obstacles since the issue is viewed as humanitarian, and that implementation has enabled the two countries to build trust. Since the Ministers indicated that they also plan an imminent trip to Hanoi, the League Delegation asked them to raise the need for Vietnam's cooperation with their counterpart, Vietnamese Minister of Public Security Le Minh Huong, a request which was met with a positive response.

The League hosted a working lunch with LTG Pol Saroeun, H.E. Sieng Lapresse, Major General Phoung Siphon, BG Kim Chan Nee and other members of the Cambodian POW/MIA Committee. Senior members of the POW/MIA Committee were present at most of the meetings with the Cambodian Ministers; therefore, informal discussions over lunch were most helpful. (Since the League Delegation returned, LTG Saroeun has already initiated contact to propose hosting the first session of the Four Party Conference.)

The final meeting in Cambodia was with H.E. Chey Saphon, the designated historian of the Royal Cambodian Government who has worked closely with DIA's Stony Beach over the last few years. The League Delegation expressed appreciation for his personal dedication to obtaining answers for the families and for his hospitality in welcoming us to his personal residence. The Delegation indicated to Chey Saphon full confidence that his assistance is a key element of trilateral and four-party cooperation and expressed gratitude for his willingness to exert efforts on the difficult task of locating relevant archives and sources of information.

Noting with sadness the loss of his colleague, Lao historian Sisana Sisane, the League indicated that such longstanding relationships with officials in Vietnam and Laos are potentially very useful, but time is short since all are aging.

Mr. Chey Saphon indicated he is eager to continue his work with US officials and that he has already begun a renewed effort. He stated that he had worked closely with counterpart historians in Laos and Vietnam and was impressed with the scope of Vietnamese Government archives. He recognized the problem with passage of time and the need to move as quickly as possible. Referring to the aging of sources, League Adviser Richard Childress remarked to Chey Saphon, "Each time an old man dies, a library burns," a sentiment with which Chey Saphon agreed.

Assessment: The seriousness of the Royal Cambodian Government and its POW/MIA Committee, including H.E. Chey Saphon, stands as an example of full cooperation, yet there is much more that can be done and, in the League Delegation's view, will be pursued by responsible Cambodian officials. Undue caution on the US side was equally evident, especially in light of the humanitarian nature of the issue as recognized by Congress and others. The Delegation believes, however, that adjustments are being made to better utilize all assets and resources, following establishment of the new Royal Cambodian Government. These are welcome changes that will continue to be closely watched by the League, and further delays for less than valid reasons will be strongly opposed. Now that the political situation has stabilized, there should be no further excuses for failing to permit qualified US personnel to visit Cambodia whenever the need arises.

Statement of Spyder Active Sports, Inc., Boulder, Colorado

Spyder Active Sports, Inc. is a wholesaler of ski clothing. We are known within the ski industry to produce high quality apparel to meet the rigorous demands of the ski athlete and environment.

Spyder currently sources our cotton t-neck manufacturing in Laos. We plan to continue our sourcing at this factory and are submitting this statement in support of an extension of "normal trade relations" to the Lao People's Democratic Republic (Laos).

Statement of US-ASEAN Business Council, Inc.

The US-ASEAN Business Council is the premier national organization in the United States representing private-sector interests in ASEAN, the Association of Southeast Asian Nations. The Council appreciates this opportunity to express its support of the extension of permanent normal trade relations (NTR) to the Lao People's Democratic Republic (Lao PDR).

ECONOMIC TRENDS AND OUTLOOK

In 1986 the Lao PDR adopted the New Economic Mechanism (NEM). The NEM was an economic reform package transforming economic activity from a centrally planned economy to a market economy, decentralizing economic decision making, and stimulating private sector to take an active role. An economic system based on market principle was included in the 1991 Lao PDR constitution. Key market liberalization efforts include: decontrol of prices and distribution of goods and services, elimination of subsidies, establishment of a market determined exchange rate, reform of the tax and tariff system, enactment of a new Central Bank Law, refinements in money and credit management and Foreign Investment Law passage. The government has also restructured administrative authority for economic, financial and development management—the Ministry of Finance manages fiscal affairs, and the Committee for Planning and Cooperation manages development.

The adjustment of the economy over the past ten years of the NEM has been helped by the many structural and policy changes, which have had a positive overall impact on the economy. The government recognizes the need for further adjustment for economic growth to take place and further market-based activities to develop. The government expressed its commitment to further market based development at the February 1993 annual ordinary session of the National Assembly. The major macroeconomics components of the government's strategy are to strive towards a stable macroeconomics environment consisting of: stabilizing domestic price and exchange rate, reducing the fiscal deficit, increasing and mobilizing savings, strengthening financial markets, strengthening mother and child health care, reducing government involvement in the private sector, undertaking civil service reform, and further implementing privatization.

Over the period 1994 to 1996, Lao GDP economic growth rates averaged over 7 percent. Since mid-1996, however, according to the 1999 Investment Climate Statement, issued by the United States Government, "the pace of reform has slowed considerably since mid-1996," and "Laos's economic performance, aggravated by the 1997 Asian financial crisis, has suffered accordingly." The GDP growth rate fell to 4 percent in 1998. Growth in 1999 will be dependent on the performance of the agricultural sector which employs 85 percent of the work force. Some improvement may come from the European Union's decision to grant GSP status to Lao garments, but, according to the 1999 Investment Climate Statement, "greater growth in this sector is hampered by the absence of normal trade relations with the United States."

US-LAO RELATIONS

In recent years, the United States and the Lao PDR have worked hard to build a mutually beneficial relationship. In addition to strong cooperation on POW/MIA issues and anti-drug trafficking exercises, the government of Laos and the US Government initialed a bilateral investment treaty in 1997. It has taken major steps to open the country's economy to foreign trade and investment and made the necessary economic changes which paved the way for its admission to ASEAN. The Lao PDR signed an agreement with the US Overseas Private Investment Corporation in March 1996. In 1998 Laos signed an agreement with the Multilateral Investment Guarantee Agency that is awaiting final ratification by the National Assembly.

Accordingly, the Lao PDR seeks normal trading relations with the United States. Extension of NTR status would enable Laos to develop its economy in a better fashion and strengthen the liberalization taking place. Moreover, the granting of NTR would signal the United States' continuing interest in the ASEAN group. ASEAN comprises 500 million people, with a \$1 trillion GDP, two way trade with the US of over \$250 billion in the year 2000 and designation as the US's third largest overseas trading partner.

Currently, US-Lao trade is a relatively low level, with exports to the US in the period Jan.-Oct. 1998 at \$19 million (general customs); \$15 million (c.i.f.) for the same period; and imports from the US into Laos, \$3 million from Jan.-Oct. 1998

(Source: US Embassy, Vientiane). Granting of NTR status would support expansion of such trade and would likely encourage others to take a closer look at ASEAN's newest member. Since the country is at such a different level of economic development from the United States, few US industries would be immediately affected by the move. Conversely, as Laos becomes more integrated with its regional neighbors, the country will provide a strong market for US goods. NTR status for Laos will likely also contribute to higher standards of living for the Lao people. In summary, granting NTR status to Laos would result in gains for all countries and people concerned.

The US-ASEAN Business Council fully supports the granting of NTR status to the Lao PDR and will continue to work on promoting further normalization of commercial relations between our two countries.

