

**Joint Hearing On Legislative Presentations of Veterans Service Organizations (VSOs)
U.S. House (HVAC) & U.S. Senate Committee on Veterans' Affairs (SVAC)**

**May 20, 2015
Hart Senate Office Building 216**

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**Testimony of Philip Smith,
Washington, D.C. Director & National Liaison**

Lao Veterans of America, Inc.

Today, we sincerely wish to thank the Senate SVAC Chairman Johnny Isakson and Vice Chairman Richard Blumenthal, as well as House HVAC Chairman Jeff Miller and Vice Chairman Corrine Brown, as well as each and every one of the Committee Members of the U.S. Senate and House Veterans' Affairs Committee for holding this important joint hearing today regarding the legislative presentations of Veterans Service Organizations (VSOs). We appreciate your concern about the plight of Lao- and Hmong-American veterans, and their refugee families, who served alongside U.S. clandestine and special military forces during the Vietnam War, in defense of U.S. national security interests and the Royal Kingdom of Laos.

We appreciate the opportunity to present our testimony for the record to both the Senate and House Veterans Affairs Committees at this important hearing.

We are also grateful for the efforts of former Senate SVAC Chairman Bernard "Bernie" Sanders, and former Vice Chairman Richard Burr, of the SVAC Committee, in the previous session of Congress, for their staunch leadership efforts in support of Lao- and Hmong-America veterans, and their families in the United States, especially regarding S. 200 /S. 2337 / H.R. 3369, the "Hmong Veterans' Service Recognition Act" (also known as "The Lao & Hmong Veterans' Burial Honors Bill", in its various legislative incarnations, and its inclusion into various omnibus veterans bills in the previous session of Congress).

We also wish to express our deep gratitude to Senator Lisa Murkowski of Alaska, for her crucial leadership efforts, along with Congressman Jim Costa of California, in the House of Representatives, for recently re-introducing and helping to advance the legislation (S. 1358 and H.R. 2327) in a bipartisan manner in both the Senate and House, and before your important Committees.

My name is Philip Smith. I serve as the Washington, D.C. Director of the Lao Veterans of America, Inc.(LVA) and Lao Veterans of America Institute (LVAI). These most honored fraternal groups are the nation's largest, non-profit , Lao- and Hmong-American veterans' organizations representing many thousands of people who served in the U.S. covert war in Laos, and the "U.S. Secret Army" (L'Armee Clandestine), during the Vietnam War. These organizations also represent many of the Lao Hmong veterans' refugee family members in the

United States—including wives, children and grandchildren—the majority of whom are now proud American citizens.

Additionally, I am also pleased to serve as the Executive Director of the Center for Public Policy Analysis (CPPA), a non-governmental, public policy research organization (NGO), focused on U.S. national security, international relations and veterans issues, including the plight of Lao and Hmong veterans and their refugee families in the United States and Southeast Asia.

Last week, on May 14-15, the Lao Veterans of America, Inc. and CPPA, along with the U.S. Special Forces Association, Counterparts Veterans Association and others, helped to conduct special veterans' ceremonies at Arlington National Cemetery, at the Lao Veterans of America monument (“Laos Memorial”), and the Vietnam War Memorial, to somberly mark the 40th anniversary of the fall of the Kingdom of Laos, and Long Tieng (Long Chieng), to invading forces of the North Vietnamese Army, and the People's Army of Vietnam, of the Socialist Republic of Vietnam. These important veterans' memorial ceremonies were supported and undertaken with the official support of the U.S. Department of Defense, U.S. Army, U.S. Air Forces, U.S. Marine Corps, Arlington National Cemetery, Members of Congress, and others.

It is also important to recall that last year, and in recent previous years, the LVAI's President Emeritus, and Founder, Colonel Wangyee Vang Ph.D., and I, along with other Lao- and Hmong-American veterans' leaders, personally met at length with the Senate Veterans' Affairs Committee, and its good staff members, about pending veterans' benefits legislation to seek to assist the Lao- and Hmong-American veterans and their families, especially with regard to burial honors and interment matters.

Likewise, in recent months, the LVAI's current acting President, Mr. Richard Xiong, and Vice President, Mr. Erik Xiong, as well as Mr. Pasert Lee, of the Alaska Hmong Community, Inc., participated in a number of special follow-on meetings. These high-level meetings with the senior staff of the SVAC were helpful and constructive discussions. Mr. Pang Mang Thao, President of the Minnesota Lao Veterans organization has also provided important leadership as well as Mr. Toua Kue of the Rhode Island Lao Veterans of America in Capitol Hill meetings and events.

By way of background on our other past efforts in Washington, D.C., and Capitol Hill, the Lao Veterans of America and I helped to research, develop and spearhead efforts regarding extraordinary bipartisan legislation from 1991-2000 in the U.S. Congress to grant honorary citizenship to the “U.S. Secret Army” veterans. This legislation known as the “Hmong Veterans Naturalization Act” eventually prevailed, after a great deal of work and effort, and was signed into law in the year 2000 by President Bill Clinton. Moreover, follow-on companion legislation granting honorary citizenship to the spouses and widows of Lao Hmong veterans was passed shortly thereafter by Congress and signed into law by President George W. Bush. The Lao Veterans of America worked to educate the public and policymakers about these and other important legislation and issues. As a result, tens of thousands of Lao and Hmong veterans and their families are now naturalized citizens of the United States.

The LVAI, LVA, and Lao and Hmong community, maintain active groups in nearly every single state represented by the Senators on this Committee.

Chairmen Isakson and Miller, and Vice Chairmen Blumenthal and Brown, as well as distinguished Members of the Senate and House Veterans' Affairs Committees, the Lao and Hmong "U.S. Secret Army" veterans should be granted the honor of being buried at U.S. national veterans' cemeteries because of their extraordinary clandestine role during the Vietnam War in defense of U.S. national security interests as well as the unique manner in which they were covertly recruited and paid directly by the U.S. Treasury through the Central Intelligence Agency (CIA), via its covert airline, Air America, and the U.S. Department of Defense (DOD). Laotian and Hmong soldiers served with distinction as part of U.S. Special Forces and other special DOD and CIA ground and air force units in Laos.

Clearly, this is America's unfinished business regarding Laos, and the Lao and Hmong veterans who so heroically and uniquely fought to support the United States during the Vietnam War.

It is important, and symbolic, to note today that U.S. Senator Sheldon Whitehouse of Rhode Island is also a staunch supporter and past cosponsor of this important legislation (S. 1358 and H.R. 2327), the "Hmong Veterans' Service Recognition Act", and is very familiar with many of the details of the testimony that I will provide today, and that I provided previously to this Committee. Senator Whitehouse's father, the late Ambassador Charles Whitehouse, served in Laos during the Vietnam War, and was crucial to formulating and implementing policy in America's clandestine war in Laos. U.S. Ambassador Charles Whitehouse, like Presidents Eisenhower and Kennedy, was a friend of the freedom-loving Laotian and Hmong people, and one of those who understood the unique nature of "U.S. Secret Army" during the later war-time period. I want to again thank Senator Whitehouse for his support and leadership today. Over the years, I have had the good fortune of working closely with many of the Lao and Hmong veterans, refugees and Southeast Asian community leaders who were resettled in Rhode Island in the aftermath of the Vietnam War, and resulting Indochinese refugee crisis. We are grateful to Senator Whitehouse for his support of this legislation and his ongoing efforts to honor the Lao- and Hmong-American veterans and their families.

Mr. Chairmen, and Veterans' Affairs Committee Members, many Lao- and Hmong-American veterans, who served in America's covert theater of operations during the Vietnam War, are dying across the United States without the benefit of being recognized, or honored, for their extraordinary military service. Having saved the lives of many U.S. soldiers and aircrews, these forgotten veterans deserve to be buried with dignity at U.S. national veterans' cemeteries, with military honors, for their unique service as part of the "U.S. Secret Army" defending U.S. national security interests and the Royal Kingdoms of Laos and Thailand, pivotal in Southeast Asia during the Vietnam conflict and geostrategically critical during the height of the Cold War.

Laotian and Hmong soldiers, who served in the "U.S. Secret Army" in Laos, were clandestinely organized and supported by the CIA and the Pentagon, to combat the bloody, relentless, and protracted invasion of the Kingdom of Laos by the North Vietnamese Army (NVA), and an insurgency of communist Pathet Lao guerrillas.

In the early 1960s, at the time of the Cuban Missile Crisis, the Berlin Blockade, and Berlin Airlift Crisis, with the additional mounting concerns about the Soviet Union's expansionism during the Cold War, especially in Southeast Asia, President John F. Kennedy, with the advice and input of key national security experts, including the late Theodore "Ted" Shackley, envisioned and devised the "Third Option" strategy in Laos, as a key, and critical, part of a much larger global strategy. This national security strategy, and its implementation, in part, sought to prevent a nuclear war, and/or a conventional land war, in Europe with the Soviet Union.

Among other serious national security concerns, CIA and U.S. military intelligence had determined that the Soviet Union and North Vietnam were egregiously violating the Kingdom of Laos' neutrality, and signed international diplomatic accords, by supplying large numbers of Soviet weapons to communist Laotian guerrillas and North Vietnamese forces, and establishing a trail and supply network (including the Ho Chi Minh Trail) through Laos to seek to offensively attack South Vietnam and possibly U.S. military bases in the Kingdom of Thailand. Consequently, in a follow-on strategy to President Dwight Eisenhower's earlier efforts in Laos and Indochina, President Kennedy's Administration bolstered CIA and U.S. Special Forces Teams, and other DOD "sheep dipped" personnel (military personnel officially removed from DOD payroll, and other records, and given a new civilian identity) from the U.S. Air Force and Army, and deployed them to Laos in an enhanced and more aggressive posture. This secret U.S. force were deployed to recruit, train, pay and fight alongside the Lao Hmong "U.S. Secret Army." This U.S. covert policy, and the deployment of the Lao Hmong "U.S. Secret Army", was cautiously undertaken to avoid overt international treaty violations signed with the Soviet Union on Laos' "neutrality", and avert a nuclear and conventional war with the Soviet Union and China (PRC). Thus, the U.S. strategy, and doctrine, of "Plausible Deniability" was conceived, developed, implemented and expanded in the Kingdom of Laos.

Therefore, the "U.S. Secret Army" was envisioned and created by the White House, under Presidents Eisenhower and Kennedy to covertly defend U.S. national security interests, and at the same time prevent a nuclear war, or conventional war, with the Soviet Union and PRC, during those crisis years, when the world sat darkly at the brink of nuclear annihilation and the very potential outbreak of a Soviet-U.S., or China-U.S., Third World War, "World War III." During those perilous Cold War years, when tensions were at their greatest between the nuclear Superpowers, and the largest and most powerful land armies in human history faced off against one another in Berlin and Europe (the Warsaw Pact and NATO), the "U.S. Secret Army" in Laos was indeed critical in this strategic regard, embodying America's third national security option, "Third Option," which is often a little-known, little-understood, but an important, reality shrouded in the deepest of black, classified secrecy, until recent years. President Kennedy, and two subsequent U.S. Presidents, from both political parties, understood this and secretly and aggressively implemented this policy option, the "Third Option," with the help of the Lao-Hmong "U.S. Secret Army."

Mr. Chairmen, and Vice Chairmen, and distinguished members of the Veterans' Affairs Committees jointly gathered here today, Laotian and Hmong-American veterans should be granted burial benefits, and military honors, at U.S. national veterans' cemeteries by the U.S. Congress and Obama Administration for yet another important and key reason: They were paid directly by the U.S. government, in cash from the U.S. Treasury, via Air America and Civil Air

Transport, by the CIA and Pentagon, for their unique service in Laos. This military service included the rescue of downed U.S. Air Force and Navy pilots, as well as the interdiction of NVA /PAVN troop and supply convoys in Laos, and on the Ho Chi Minh Trail, by the Lao-Hmong special forces.

For over 15 years, from 1961-1975, the CIA's clandestine airlines, Civil Air Transport (CAT) and Air America, flew cash payroll flights to support, pay and expand the elite Lao and Hmong clandestine army, which was based at the large covert base at Long Chieng (Long Tieng), Xieng Khouang Province (Xiangkhouang Province), Laos. From there, and other "LIMA Sites", the Lao-Hmong clandestine army engaged in strategic battles against main-force NVA divisions of the Soviet-backed Peoples Army of Vietnam (PAVN) as well as communist insurgents. Lao and Hmong special forces units saved thousands of American soldiers from being attacked and killed in South Vietnam by engaging numerous NVA and PAVN units in combat and playing a key role with the U.S. bombing campaign of enemy supply routes and targets on the Ho Chi Minh Trail, Plaine des Jarres (PDJ) and elsewhere.

An ultra-secret group of Lao-Hmong soldiers of the "U.S. Secret Army" guarded LIMA Site 85, Phou Pha Thi (Phathi) Mountain, the towering mountain citadel, and clandestine navigational and reconnaissance site, needed by the White House and its National Security Council to conduct the U.S. Air Force's, and U.S. Navy's, all-weather and night-time bombing of Hanoi and targets on the Red River Valley and Ho Chi Minh Trail. Special "sheep dipped" and "sanitized" clandestine U.S. Air Force units, including RAVENS personnel, and Air America units, based at the Royal Thai Air Force Base in Udorn Thani, Thailand, help support this most critical DOD, CIA, asset. Later in the war, a secret Soviet-advised, NVA/ PAVN, attack on this crucial electronics installation resulted in it being captured and destroyed by communist forces. This strategic attack by North Vietnam resulted in the heroic deaths of key "sheep dipped" U.S. Air Force service members, and Hmong soldiers, who were killed defending it from the onslaught of elite, special PAVN commandos and an aerial enemy assault. Only in recent years, have some of the American personnel been honored and recognized by the United States.

Richard Xiong, the current acting President of the Lao Veterans of America Institute has stated: "The Hmong and Laotian involvement in the conflict was to help contain the spread of Soviet-backed Communism in Southeast Asia and the region, and by interdicting and disrupting military activities conducted by the North Vietnamese Army (NVA) on the Ho Chi Minh Trail to the South, Route 12 and other vital and strategic areas."

According to Colonel Wangyee Vang: "In the 1960s, the Communists launched many heavy campaigns to conquer Laos and its neighbors, such as the Republic of South Vietnam and Cambodia. In December, 1960, President Dwight D. Eisenhower declared: 'We cannot let Laos fall to the Communists even if we have to fight.' Therefore, when President John F. Kennedy was elected, he preserved that doctrine and sent U.S. CIA and Special Forces' 'White Star' officers to Laos to recruit Hmong tribal, and other Lao ethnic peoples, to form the Special Guerrilla Units (SGU), GM Units, ADC units, RAVENS and others special units of the 'U.S. Secret Army' to fight against communist expansion..."

Colonel Vang states further: “The Lao-Hmong ‘U.S. Secret Army’ mission included: 1.) to defend their own country; 2.) to protect American clandestine and military personnel, and rescue downed U.S. Air Force (USAF), and U.S. Navy, aircraft, as well as Air America pilots and aircrews, shot down by the Communists over Laos, and along the Laos-Vietnamese border; 3.) to disrupt, destroy, and/or interdict the Communist shipments of combat troops, and war supplies, from North Vietnam to South Vietnam through the Kingdom of Laos, especially on the Ho Chi Minh Trail; 4.) to guard the top secret, high-tech, U.S. radar station on the mountaintop of Phou Pha Thi, or Lima Site 85; This site facilitated the USAF to do its bombing over North Vietnam in all-weather conditions, including at night; 5.) and, to engage invading main-force NVA divisions in Laos--to destroy or engage them in battle.”

Colonel Wangyee Vang lamented at veterans’ memorial ceremonies held at Arlington National Cemetery on May 10, 2013: “From 1961 to 1975, the Hmong and other Lao ethnic soldiers of the United States’ ‘Secret Army’ lost about 40,000 strong men and women for the accomplishment of these missions. These included some very impossible, and hopelessly dangerous, missions where the Lao-Hmong soldiers had to pay in blood with many, many, countless Lao-Hmong lives lost to often save one or two American aircrew members or clandestine CIA/DOD case officers at a time. Now it is 38 years after the war ended in 1975. Unfortunately, our veterans still have not received any burial honors, or other veterans benefits, from the United States government especially for our Hmong, Khmu, Lao, Mien and other ethnic veterans of the ‘U.S. Secret Army.’ We are, therefore, strongly urging the United States Congress, as soon as possible, to pass S. 200 for those Lao-Hmong veterans still surviving from the Vietnam War.”

Indeed, a growing number in the U.S. Congress are concerned about the plight of Lao and Hmong veterans, including, as mentioned, Senators Lisa Murkowski, Sheldon Whitehouse and others. U.S. Congressman Jim Costa (D-CA), along with a bipartisan coalition of dozens of Members of the House of Representatives, has introduced and is advancing legislation (H.R. 2327), as was done in the previous session of Congress, which if passed, and signed into law by President Obama, would grant this final burial or interment honor to the estimated 6,900-9,700 Laotian and Hmong-Americans in the United States who would qualify for these burial benefits at U.S. Department of Veterans’ Affairs cemeteries.

The LVAI, and LVA, are working to educate the public and policymakers in Washington, D.C., about the need to address this issue. More of their veterans, including many senior Lao-Hmong officers, are passing away and are being buried quietly, without honor or proper recognition, in isolated cemeteries, or in paupers’ graves. Each year, hundreds more of the Lao and Hmong veterans pass away in America.

Colonel Wangyee’s brother, Chertzong Vang, a combat veteran of the U.S. Secret War in Laos, an educator, and the long-time President of the Minnesota chapter of the LVAI, died in 2012, in St. Paul, but could not be properly honored, or buried, in a U.S. national veterans’ cemetery as he had hoped and wished. There are countless more examples like him in Minnesota and across the United States, according to Mr. Pang Mang Thao, President of the Lao Veterans of America in Minnesota.

In recent years, in despair, a decorated French veteran, retired Colonel Robert Jambon, who had been previously honored by French President Nicholas Sarkozy, and who served with Laotian, Hmong, and American special forces in combat against communist guerrillas, took his own life on the steps of a monument to Indochina war veterans in France. In a tragic and final letter, released by French police, Colonel Jambon decried the abandonment by America and France of their former Lao and Hmong veterans and allies. He also denounced the ongoing forced repatriation of Lao and Hmong refugees who continue to flee brutal human rights abuses, religious persecution and military attacks in Laos and Vietnam today by the ruling one-party communist governments. Many of these suffering refugees are the family members, and descendants, of Lao Hmong veterans of the “U.S. Secret Army” in Laos. The LVA, LVAI, CPPA, Amnesty International, Human Rights Watch, Doctors Without Borders (MSF), Lao Human Rights Council, Inc., and others have raised similar concerns.

It was not until May 14-15, 1997, twenty-two years after the end of the Vietnam War, that Lao- and Hmong-American veterans, and their refugee families, were first honored by officials in Washington, at national recognition ceremonies conducted at the Vietnam War Memorial, U.S. Congress and Arlington National Cemetery. At Arlington, a granite monument to the Lao and Hmong veterans, and their American advisors, was finally dedicated by the LVA. Colonel Wangyee Vang, and I, were honored to play a leadership role in organizing these first-ever national recognition ceremonies, along with others. Clearly, they were long overdue.

May 14-15 also marks the anniversary of the fall of the “U.S. Secret Army” base at Long Chieng, Laos, and the fall of the ancient and proud Kingdom of Laos, the Kingdom of a Million Elephants, Lan Xang, to invading North Vietnam Army forces of the PAVN, and communist Pathet Lao guerrillas. It is a somber day for those who remember the hundreds of thousands of Laotian and Hmong soldiers and civilians massacred, starved to death, imprisoned, or who fled as political refugees to neighboring Thailand. On that fateful day, May 15, 1975, as NVA and PAVN units began breaching Skyline Ridge and the perimeters of the base at Long Chieng, the U.S. government, including the U.S. DOD, CIA, and State Department, abandoned the Lao-Hmong people and the “U.S. Secret Army.”

The stench of betrayal still hangs over the U.S. government for its brutal and thoughtless abandonment of their staunchest allies, the Lao and Hmong “Secret Army” veterans and their families. In their hour of greatest need, with absolutely no plan for the evacuation or safety of its loyal allies, the United States government simply walked away. Only rogue Air American pilots, and a handful of CIA case officers, in defiance of the U.S. government’s betrayal of the Lao and Hmong soldiers of the “U.S. Secret Army” refused to allow General Vang Pao (GVP), DOD/CIA code name “WHITE STAR,” and his senior officers, and their families, to be left behind. On May 14-15, 1975, a small group of Air America pilots, and CIA case officers, flew several plane loads of GVP’s officers and their families to neighboring Thailand in defiance of Washington’s, and State’s, official communications to “stand down,” and offer no help or assistance, in the face of the NVA/PAVN brutal attack and coming slaughter of the Lao Hmong soldiers and tens of thousands of innocent civilians. The vast majority, over 98% of the Lao-Hmong “U.S. Secret Army” soldiers, airmen and their families were left behind. They were abandoned by a politically divided and paralyzed U.S. government who refused to assist them as they were attacked and slaughtered--or imprisoned, tortured and killed by NVA/PAVN and

Pathet Lao forces in those fateful days, months, and years that followed. Words cannot describe the suffering and death that haunts, and silently pursues, the Lao-Hmong veterans, and people, to this day. Washington had no plan to help them.

May 14-15, are National Lao Hmong Recognition Day, and Hmong-Appreciation Day, a somber occasion marked each year at veterans' memorial ceremonies held at the Lao Veterans of America monument in Arlington National Cemetery, the Vietnam War Memorial and in communities across the United States. As this anniversary day again approaches, it is very appropriate for this honorable Committee to seek to address and review the plight of Lao- and Hmong-American veterans of the "U.S. Secret Army", and to consider further action as well as the advancement of long-overdue legislation to grant burial honors to this unique group of veterans. <http://www.businesswire.com/news/home/20140517005012/en/Arlington-National-Cemetery-U.S.-Congress-Officials-Honor>

We urge the U.S. Congress, the Department of Veterans of Affairs, and President Obama, to work together to pass and implement the "Hmong Veterans' Service Recognition Act" or similar legislation. This is America's unfinished business. The passage by the U.S. Congress of legislation granting burial honors benefits to the valiant Lao- and Hmong-American veterans would more fully memorialize and honor them, and their important legacy in unique partnership with the United States during the Vietnam War.

Richard Xiong, the current acting President of the LVAI, and Hmong community leader from the Central Valley of California, has stated: "We are talking to our Senators, and Congress, about the sacrifices of Hmong veterans in assisting the United States to secretly combat the North Vietnamese Army's invasion of the Kingdom of Laos during critical years of the Vietnam War."

"It is important that President Obama and the White House also remember and support our Lao Hmong veterans and this bill and legislation," further stated Erik Xiong, Vice President and Board Member of the LVAI in Fresno, California.

<http://www.businesswire.com/news/home/20141024005848/en/Vietnam-Veterans-U.S.-Secret-Army-Laos-Urge>

Mr. Pasert Lee of the Hmong Alaska Community, Inc. in Anchorage, Alaska, who is Board Member of the Lao Veterans of America Institute, and a decorated combat veteran, has stated: "We are requesting that the U.S. Senate and House of Representatives pass this important legislation to grant us burial honors, and burial benefits, at Department of Veterans Affairs administered national veterans cemeteries, and to recognize our Lao and Hmong veterans, and our community, as soon as possible, especially since many of our veterans of the Vietnam War in Laos are growing old and passing away in the United States."

The U.S. Congress, the Obama Administration, and America should not abandon and continue to leave our Lao and Hmong-America veterans behind as they grow older in the United States. Recalling the tragic end of the U.S. involvement in Laos at the end of the Vietnam War, Mr. Pang Mang Thao states: "As a young soldier who served on the battlefields of the Vietnam War in the Kingdom of Laos, I felt it was my duty to stay and fight to the end. Unfortunately many of our fellow soldiers were left behind. I was one of those. We roamed the jungles/mountains until

1979 trying to survive on whatever we could get our hands on. We traveled on foot to Thailand and arrived in Ban Vinai camp on February 7, 1979.”

America's Lao and Hmong "U.S. Secret Army" veterans should not be left behind and abandoned again by the United States, but instead be honored with full burial, and interment, honors and benefits at U.S. national cemeteries administered by the U.S. Department of Veterans' Affairs.

In conclusion, I want to again thank you Chairmen Isakson and Miller, Vice Chairmen Blumenthal and Brown, and distinguished Members of the Senate and House Veterans' Affairs Committee, for conducting this joint SVAC / HVAC hearing, and allowing us the opportunity to provide testimony regarding the legislative presentations of Veterans Service Organizations, including the Lao Veterans of America, Inc. and Lao Veterans of America Institute.

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