U.S. Used Nerve Gas, Vietnam Vets Assert

By David R. Zimmerman

Based on original reporting for CNN by April Oliver and Jack Smith, with Peter Arnett

The United States used the nerve gas sarin in combat at least once, and perhaps far more often, during the war in Vietnam, according to U.S. commandos who were there, and who suffered nonlethal symptoms when wind blew the gas their way. Sarin, which incapacitates and can kill humans, was used to rescue U.S. commandos being attacked by enemy forces in Laos, which borders Vietnam on the West.

Laos was officially neutral. But North Vietnam supply lines (the Ho Chi Minh trail) to South Vietnam passed through Laos — where the U.S. fought a covert and illegal war to cut them. The war in Laos was run by the CIA, several sources, including the then-head of the Joint Chiefs of Staff (JCS), told CNN.

The military code name for sarin was GB. When packed for delivery from the air in cluster bomb units (CBUs), its code was CBU-15.

Sarin allegedly was used specifically to support 16 U.S. commandos and about 140 mercenaries, called Montagnards, or Mountain men, in a September, 1970 military operation, called "Tailwind." This was an attack on an enemy village/base camp, near the Laotian town of Chavan — about 60 miles west of the South Vietnamese border.

Operations Were Secret

Tailwind’s basic mission, according to then U.S. Chairman of the JCS, Admiral Thomas Moorer, U.S.N., who is now 87 years old and retired, was to damage enemy supply lines. The commandos belonged to a euphemistically-named Studies and Observation Group (SOG), which conducted so-called “black operations,” outside the rules of war. They could — and did — kill noncombatants, including women and children on Tailwind, four SOG veterans told CNN.

The SOG men also were authorized and ordered to kill American defectors, if they found them, according to Tailwind participants and the SOG chief, Army Maj. Gen. John Singlaub, retired. Their motto, according to Lt. Robert Van Buskirk, then 26, who led the unit after its commanding officer, Capt. Eugene McCarley, was wounded, was: “Kill them all, and let God sort it out!”

He adds: “My orders were, if it’s alive, if it breathes oxygen, if it urinates, if it defecates, kill it!”

U.S. raids in Laos were previously widely reported. The use of nerve gas, and orders to kill American defectors were not — they are CNN exclusives. Van Buskirk says he dropped a white phosphorous grenade down a hole — a cave or tunnel entrance — onto one, possibly two, tall, white, blond young men. One of them shouted to him briefly in unaccented American English.

“Fuck you!” were his last words.

Other participants in the raid recalled this incident directly. Two of them told CNN’s journalists that it was standard operating procedure to kill defectors. Singlaub, the then SOG chief, told CNN:

“It may be more important to your survival to kill the defector than to kill the Vietnamese or Russian.” Defectors’ knowledge of U.S. communications “can be damaging,” he explained.

Denials Issued

The Pentagon vehemently challenges these accounts. It has told CNN that there were only two known military defectors during the Vietnam War. A Pentagon official said the Army “has found no documentary evidence to support CNN’s claims that nerve gas of any type was used on Operation Tailwind.” (See story, page 2.)

The Secretary of Defense at the time, Melvin Laird, told CNN he had no specific recollections of GB being used. He said Pres. Nixon’s national security team would have had to approve it. Henry Kissinger, the National Security Advisor at the time, refused several CNN interview requests. Also refusing to be interviewed were then-CIA Director Richard Helms, SOG Chief John Sadler, military advisor Gen. Alexander Haig, JCS Chairman Henry Shelton, and Defense Secretary William Cohen.

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Pentagon Flatly Denies Charges

Following CNN and Time's retractions of their Tailwind reports, the Pentagon released its own investigational reports on the charges. Based on several thousand hours of archival research, and interviews with Tailwind vets and others, the Pentagon — the Department of Defense (DoD) — declared:

- “No records or personal recollections were discovered to suggest that targeting U.S. defectors played any part in [Tailwind].”
- “No evidence could be found that sarin was used in Operation Tailwind.”

The purpose of the raid, DoD says, was “a reconnaissance in force to engage the enemy and divert enemy attention from Operation Gauntlet, [which was] an offensive operation to regain control of terrain in Laos.”

The DoD report, issued July 21, adds that contemporaneous records and commandos’ personal recollections do not support the allegation that women and children were killed.

Tailwind’s planner and director, retired army colonel John Sadler, who was not part of the hatchet force, said he arrived “after the fight was over. I only saw two bodies . . . .”

However, the report also cites Lt. Robert Van Buskirk’s after-action report claiming a confirmed 54 killed in huts, bunkers and spider holes, and an estimated 42 enemy dead outside the village/base camp.

Documents Captured

Sadler added that two footlockers of documents obtained in the raid were described by Gen. Creighton Abrams, the theater commander, as “the best logistics intelligence every gained in the Vietnam War.”

The DoD report quotes Adm. Thomas H. Moorer and his Joint Chiefs of Staff associate Air Force General John W. Vogt — who was not quoted by the CNN team — as denying the CNN allegations. The DoD quotes Moorer as saying “he never confirmed anything” to the CNN reporters because he couldn’t remember anything about Tailwind. He said he knew nothing about sarin or the targeting of defectors and in fact CNN’s April Oliver asked him “trick” questions.

Vogt called CNN’s story “absolutely unbelievable.”

(CNN reportedly has settled a defamation suit filed by Moorer for about $200,000, according to the New York Times. The SOG chief, Gen. John Singlaub has filed a similar suit against CNN and producer Oliver. CNN also faces other suits.)

The DoD researchers interviewed Lt. Van Buskirk and Sgt. Mike Hagen, who appear to have stuck with their “version of the events,” the DoD report indicates. Jay Graves and Jim Cathey, also cited by CNN, were not interviewed because they didn’t participate in Tailwind.

Pilots Interviewed

The Air Force spent 1500 hours reviewing the sarin allegation, and said the gas never went further west than Okinawa, where it was stored. Based on interviews with pilots, munitions loaders, and others at the Nakhon Phanom air base, in Thailand, where the Tailwind air support was based, the DoD reports that none of the special handling that sarin would have required — rubber aprons for the munitions handlers, for example — were used for Tailwind. The Air Force says the gas that was dropped to support the SOG force’s evacuation was CS tear gas in cluster bomb units called CBU-30s.

“Sarin gas was not used.”

Military records from the North Vietnamese government do not mention lethal gas attacks in Laos in September, 1970. DoD says.

The DoD also interviewed the Tailwind medic. retired Army captain Michael Rose, who was caring for wounded commandos during the evacuation. He said:

“We got hit with gas. It was CS [tear gas]. I know what CS is from basic training — it’s like skunk. Once you smell it, you never forget, even if it’s 50 years later. It was definitely tear gas . . . . My wounded [men] were in distress. I never saw any evidence of nerve gas . . . . I’m living proof that toxic gas was not dropped on us that day. Nobody showed any signs of exposure to toxic gas.”

Doubt Cast on Account

“I had never either known about it personally, nor had I found anything about it in my research . . . not even as rumor.”

This is the reaction of American journalist and author Jane Hamilton-Merritt to the allegation that the U.S. used sarin in Laos. She was close to the CIA in Laos at the time of Operation Tailwind, and covered the secret war in Laos from, among other places, the CIA’s clandestine airfield in Northern Laos.

Operation Tailwind was in Southern Laos.

Hamilton-Merritt, speaking by phone, said that she called her Laos contacts after the CNN cablecast in June.

“We all came up with a zero,” she said.

If sarin had been used, she added, she would have expected the North Vietnamese or Laotian government to protest. They didn’t.

Hamilton-Merritt’s book on Laos, Tragic Mountain, was published by the University of Indiana Press in 1993.
Restoring the Record: How & Why P. 1 Story Was Written

On Sunday, June 7, CNN, in collaboration with *Time*, transmitted a cablecast called “Valley of Death”; *Time* published an article next day headlined “Did the U.S. Drop Nerve Gas?” *Time*’s drop line says:

“A CNN investigation charges that the U.S. used gas in 1970 to save troops sent into Laos to kill defectors.”

The “gas” was sarin, code-named GB, or alternatively, CBU-15. It is a nerve gas that acts, via the lungs, when inhaled; it can be lethal. A military manual calls it a “quick-action casualty agent” that causes “cessation of breath — and death may follow.”

Both of the stories’ explosive allegations — that CBU-15 was used, and that the U.S. targeted and killed defectors — were exclusive findings by a CNN investigative team that included producers April Oliver, 36, and Jack Smith, 62, working under executive producer Pamela Hill.

Producers Were Fired

All three have since been fired by CNN. CNN and *Time* — both owned by Time-Warner — have retracted the stories. They were pressured to do so by the Pentagon and veterans, they say candidly (see Box p. 6). But their decision to withdraw the stories and fire their producers, early in July, was predicated on what CNN claims is an “independent” investigation that it commissioned on the stories’ accuracy and sourcing.

Why have we looked into this story?

“Valley of Death” is one of three recent journalistic exposés — the others were in the *Cincinnati Enquirer*, on the Chiquita banana company’s business practices, and in the *San Jose Mercury News* on CIA links to the drug traffic — that have been retracted, with the reporters fired or disgraced, and their careers threatened as the result. Critics have treated “Valley” as a matter of up-the-chain-of-command authority and credibility: the higher up you are, the more credible you may be. The CNN producers, on the contrary, see it as an eyewitness account by the people at the bottom of the chain, who were there on the ground in Laos.

“Valley” also falls squarely into PROBE’s domain — science and medicine — because one critical issue is the technical meaning of non-scientists’ accounts: of the four gases then in the Air Force’s arsenal, which one’s effects fit the commando’s description of what happened to the enemy and to themselves when they were hit by the gas on September 14, 1970.

We hope to help readers — the public — resolve this puzzle. We wrote our Page 1 story to put the CNN producers’ story back on the public record, so that you can have the basic information you need to make this decision.

CNN’s supposedly independent investigation of “Valley” was conducted by well-known New York publishing lawyer Floyd Abrams. What was not widely publicized is that Abrams’

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Tailwind Story Raises Key Questions

The discord over “Valley of Death” raises the journalistic question:

How many sources are needed in order to go with a story? The industry standard — there is no legal requirement — is two: One source who alleges or asserts a proposition — “The U.S. used nerve gas in Laos,” for example. A second, preferably also on the record, to confirm it: “Yes, based on my knowledge (or experience), that is correct. The U.S. did use nerve gas . . .”

Even without Buskirk and Moorer, CNN had more than enough allegations and confirmations to broadcast and publish the findings — eight on the sarin, Oliver said later on CNN (see p. 8 for the allegations and confirmations of nerve gas contained in the producers’ Briefing Book.)

This leads to a second journalistic question: Who is making the incendiary charges that nerve gas was used, and defectors targeted? CNN and its critics, including the A/K Report, claim that CNN made these charges. But a careful reading (and rereading) of the original script shows that CNN reported what its interview sources said, asserted, or alleged. Nowhere does CNN “charge” that this was so, albeit it might have done so if it wished to: Media companies sometimes make such charges. But CNN did not do so here.

High U.S. officials whom the producers approached for comment on Tailwind, including Henry Kissinger — who would have had to have known about it, in his role as a National Security Adviser — refused to comment. Then, after the cablecast, Kissinger and others vehemently denied the key allegations. If CNN management had properly backed their reporters — which they failed to do — they would have ignored or deeply discounted *ex post facto* denials from people who had refused to be interviewed for the cablecast.

A final journalistic question is the level of proof that is required for a story. Obviously, serious charges require stronger evidence than minor ones. The A/K Report says the producers fell short of “the full scale support for the broadcast that should have been demanded before it aired.” This is ambiguous. What is “full scale support”?

CNN management. A/K Report in hand, said, in retracting the story, that the cablecast failed to “prove” that nerve gas was used. As Oliver and Smith say in their rebuttal, “CNN has now raised the bar for going with a story to a level at or above the criminal justice system’s standard, proof beyond a reasonable doubt.”

This is of course an absurd standard. If it were universally observed, *newspapers* would be filled with blank space, and the air waves and cable networks would be pocked with dead time. ■
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co-investigator in the probe was David Kohler, Esq., a CNN lawyer. He is a senior vice president of CNN and the network's general counsel. Kohler in fact had originally approved "Valley of Death," legally, for presentation. But, like CNN's top management, he became badly embarrassed by it.

Abrams and Kohler wrote in their "Report on CNN Broadcast," or A/K Report, that "the broadcast was prepared after exhaustive research, was rooted in considerable supportive data," but "the central thesis . . . could not . . . and cannot be sustained now. CNN's conclusion that U.S. troops used nerve gas during the Vietnamese conflict on a mission in Laos designed to kill American defectors is insupportable.

"CNN should retract the story and apologize." CNN did. So did Time.

Producers Oliver and Smith rejoined, in "Tailwind." an unpublished "Rebuttal to the Abrams/Kohler Report." or Rebuttal. They say the A/K Report was hastily done, and is filled with significant inaccuracies, mistakes and omissions:

(...) thin on detail, and shows a weak and superficial understanding of the facts upon which the broadcast was based. It makes unsupported propositions regarding the credibility of sources, appears to rely on third party reporting, virtually ignores the most significant confirming and corroborating statements from sources, and repeatedly proposes ambiguities which are at odds with any common sense reading of the interview transcripts.

The 32-page A/K Report was based, of course, on the CNN cablecast and published Time article, as well as other sources. But its foundation was a meticulously made 156-page Briefing Book, prepared by the CNN producers prior to the cablecast's airing. It documents their sources. It includes transcripts of audio and video interviews with these sources, and other material. Oliver and Smith's 83-page, single-spaced Rebuttal also is largely based on the Briefing Book.

We have read the material described above, including CNN's script. Our first view, based on the Time article — we missed the CNN cablecast — was that the work was sloppy. But on reading and rereading the file, PROBE has come to a different conclusion: The story is more than adequately sourced, and should not have been retracted. It should stand.

The largest section of the A/K Report is an attack on the credibility of one source, Admiral Thomas Moorer (ret.), who was Chairman of the Joint Chiefs of Staff (JCS) in 1970. He ran the war. The Report notes that he now is 87 years old, living in a retirement home — and it suggests he is senile and no longer mentally reliable.

"Central to the broadcast was the validation offered by . . . Moorer," Abrams and Kohler write.

PROBE's view is that they fail to discredit Moorer. Based on the transcripts and the Rebuttal, Moorer appears credible. More important: Moorer's validation — he held the final script in his hand, read it, and okayed it prior to cablecast — is not "central" to the story, which can be told very effectively without it.

Sources Critiqued

The A/K Report then criticizes the cablecast's three confidential sources:

• One "appeared to be reasoning to the conclusion that it had to be nerve agent used," not basing his support on actual knowledge."

• "A second . . . highly-placed intelligence source . . . [who] also reviewed the entire broadcast prior to its being shown and agreed with its conclusions . . . did not provide material ... continued on following page
Brill’s Tailwind Piece Ignores Its Content

Steven Brill, editor and publisher of the new media mag *Brill’s Content*, devoted five pages of his second (Sept.) issue to the CNN nerve gas retraction. He scored a few points for reporters, vis-à-vis editors, publishers, and owners. But his Q&A fails to examine the original “Valley of Death” cablecast. Neither does he analyze the critique (the A/K Report) of it co-authored by New York attorney Floyd Abrams — who also is Brill’s attorney and pal. However, this critical analysis of media material is precisely what Brill claims that his mag does.

The five-page piece he published is a Q&A that Brill conducted with Abrams and CNN News Group chairman Tom Johnson, and Time, Inc. editor in-chief Norman Pearlstine (the whole two-hour transcript was posted on the AOL website www.brillsoncontent.com, under the keyword “Brill”).

Flagrantly, right at the start of the transcript, Johnson declares: “I think it’s very important though, to emphasize that Floyd [Abrams] acted as a completely independent attorney . . . .”

What neither he nor Abrams nor Brill — who certainly must have known it — says for the record is that a co-investigator and co-author of the supposedly “independent” report was attorney David Kohler, who is CNN general counsel, and who previously had approved “Valley” prior to its airing.

(Thirty long pages later in the transcript, Abrams does say, in response to Brill’s question, that “Coller [sic] from CNN” was one of the A/K Report authors. But Brill chose not to run this acknowledgement in the magazine.)

Brill might have asked how the A/K Report could have been “independent” under these circumstances. But he didn’t.

Brill did manage to make *Time’s* Pearlstine and CNN’s Johnson look foolish, or stupid — or both. The interview took place on July 13, five weeks after CNN and *Time* put the story out. Brill asks Pearlstine:

“Did you see the story [prior to publication in *Time*]?”

Pearlstine: “I’d have to get back to you on that . . . .”

Brill: [Did] *Time’s* senior people . . . see the story?”

Pearlstine: “It’s my understanding that that is the case, but I should get back to you to be certain of that.”

In other words, Pearlstine won’t acknowledge that he or his deputies read the stories they put in their magazine. He says he doesn’t even know how the byline, “by April Oliver and Peter Arnett,” got into the magazine he runs. Brill says:

“Shouldn’t you know? Aren’t you in charge?”

(In a manicured statement in the Columbia Journalism Review [Sept.], Pearlstine indicates a reason for his reticence: Under a 1992 court ruling, *in Masson v. The New Yorker*, when one publication publishes an excerpt from another that it has reason to believe is correct, it does not have to fact check it, and has no legal liability for it. But if the second publication does fact-check the excerpted or other reprinted material, then it is legally liable for what it says.)

Brill gets Thompson to acknowledge that CNN had “a major PR problem,” and the CNN chief adds that, before the cablecast: “I knew that this could damage our relationship with the Pentagon. I knew that the Pentagon was going to be very unhappy with this report, I mean, my God, the possible use of sarin gas, and trying to identify and capture or kill defectors!”

Some Points Scored

Brill elicits a few other noteworthy details. Senior CNN producer Pamela Hill didn’t “resign.” She was told to quit. Freelancers are disdissed. The old-boys’ network is upheld. Abrams bad-mouths investigative reporters, saying:

“[They] are a breed apart . . . . There is associated with investigating reporting what seems to me a special sort of zeal . . . . [I]nvestigative reporters, as a genre, I find. tend to come to a conclusion as to who the good guys are and the bad guys are.”

The main, irredeemable problem, however, is that Brill did not analyze the A/K Report, or question it in any way: He simply bought its conclusion that “Valley” was fatally flawed. Neither did he avail himself of April Oliver. Jack Smith, or their Rebuttal to the A/K Report in order to give his readers an independent journalistic critique of its contents. In this, Brill failed to deliver the journalistic critique he promises.

—D.R.Z.

How...

directly to the producers (they did meet, however) and there is thus no way for us to assess the precise questions asked of and answered by the source.”

Nevertheless, Abrams and Kohler say: “Based on our interview with the intermediary, . . . we believe that the statements of the source were properly viewed by CNN as lending considerable support to the broadcast.”

In other words, this confidential source is okay.

*• A third confidential source was a former senior military officer who provided CNN with information on background. [This] provided CNN with a level of support for the truth of the broadcast . . . . It is doubtless supportive of the broadcast, but with some of the same problems we have seen elsewhere [of] a producer overstating her case to the source, and the source responding positively but with ambiguity to the producer.*

The A/K Report goes on to cast doubt on the credibility of two of the several veterans who made the sarin gas allegations. One of them, a principal source, Lt. Robert Van Buskirk, led the operation, briefed Admiral Creighton Smith on it, and received the Silver Star for valor. Buskirk is a born-again Christian, and has been taking prescription drugs for a “nervous disorder.” He did not mention poison gas in a book he wrote on Tailwind 15 years ago, “because it was still top secret,” but some of his certainty about what gas was used “may well have been colored by...
A few days before the raid, a SOG reconnaissance team, led by Jay Graves, was dropped into the nearby jungle. Using a spotting scope, they saw a dozen or so tall, white men among the shorter, darker men and women in the target camp. Graves was told by radio to hide until the main raiding party, called a Hatchet Force, arrived.

Gases Described

The availability and use of gases, dropped from the air in support of rescue operations behind enemy lines, were standard operating procedure in the Vietnam War, according to McCarley, Graves, and several others on the record, up the chain of command to ex-JCS chairman Moorer. Other high-level officers with direct knowledge of Tailwind also confirmed this to the CNN reporters. The U.S. had “weaponized” — that is to say, put into bombs, ready for use — four different gases, according to army expert Bill Dee, at the Aberdeen Proving Grounds, north of Baltimore. Dee worked on preparing chemical weapons for offensive use during the Vietnam War. One gas, he told CNN, was CS, a white, powdery “tear gas.” The second was BZ, a slow-acting hallucinogen. The third was VX, a nerve gas so potent that a drop of it on the skin can be lethal. The fourth was GB, sarin, which is less deadly than VX.

Sarin attacks the autonomic nervous system, causing retching, diarrhea, convulsions, and, in high enough concentrations, death. A military technical manual says it is a “quick action casualty agent” that causes cessation of breath, and “death may follow.” The antidote for GB is the neurotransmitter atropine. Atropine is not an antidote for CS, military experts told CNN.

SOG reconnaissance leader Mike Sheppard told CNN he did some of the advance scouting for Tailwind. He said, in a phone interview:

“[W]e always had atropine . . . .”

He added:

We had gases that were used to immobilize people . . . . [It] was not CS . . . .
CNN: That leaves one weapon left in the arsenal, GB, which causes vision problems, nausea, diarrhea, respiration problems, then convulsions, sometimes death . . . .
Sheppard: . . . there was a gas. And that is exactly how it was described to us . . . .
CNN: And it was used in Tailwind?
Sheppard: Yes.

The SOG men were grateful for the gas.

“Without [it], we would never make it out,” Hagen says on camera.

Neither, in his mind, was there any doubt what it was:

“Nerve gas! The government didn’t want to call it that. They want to call it an incapacitating agent, or some other form. But it was nerve gas!”

The CNN investigative team was told by SOG commandos that unusual steps were taken in preparation for Tailwind.

“Both McCarley and Van Buskirk said they were promised anything in the U.S. arsenal” for support, “except nuclear weapons,” correspondent Peter Arnett said.

Van Buskirk says he was warned by an Air Force colonel, a friend of his father’s:

“Be sure to take your gas mask. This stuff can really hurt you. It can kill you.”

Capt. McCarley equipped his men with special gas masks. Called M-17s, designed to protect against the lethal gas, he and other members of the Hatchet Force said. The men also were issued atropine.

McCary said he never considered using lethal gas. But he acknowledged that besides CS tear gas, “other gases,” including sarin, “might have been available,” but were “an Air Force ordnance, and [in] their arsenal,” not SOG’s.

Westerners Spotted

The day before the raid, Air Force Master Sgt. James Cathey, now a Baptist preacher, was hiding on the ground in Laos, watching the target village through a telescope. He says he spotted 10 to 15 “longshadows,” meaning Westerners, and thought they were defectors since they were not tied up. Cathey told CNN, on camera:

“I believe that mission was to wipe out those longshadows.”

Next day, Sept. 11, the SOG Hatchet Force left South Vietnam in helicopters. They met heavy enemy fire — an unusual occurrence in these raids. Platoon sergeant Michael Hagen told CNN on camera:

“We have casualties before we even hit the ground.”

Instead of landing near the target camp/village, they had to divert to a more distant landing site, then fight their way back. This took three days.

“We never would have expected to come out [alive],” commando Jimmy Lucas said to the CNN camera. “I didn’t!”

The night before their attack, a former senior military official who is intimately familiar with SOG operations and Tailwind, told CNN, that sarin was dropped on the village to soften it up for the next morning’s assault.

Oliver asks, in a background interview (meaning the source’s name will not be revealed):

Q: Just one last time, your own personal understanding continued on following page

Fear Indicated

"In a June 18 meeting, [CNN America President] Rick Kaplan said this was a public relations problem, not a journalism problem and that he did not want this controversy to progress to congressional hearings with ‘3,000’ members of the establishment on one side of the room and CNN and members of the Special Forces on the other. During that same meeting, Kaplan and Johnson expressed their concern about the pressure they were receiving from Henry Kissinger and Colin Powell and the threat of a cable boycott by veterans groups.”

— April Oliver and Jack Smith, Rebuttal, p. 10
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of Tailwind is that it was a mission in which CBU-15, GB, was used at least twice on the village base camp and on extraction, and that the target was a group of American defectors?

A: You are not going to use my name on this, are you?
Q: No, sir, you are on background as a senior military officer.
A: Yeah. That’s my view.

Van Buskirk led the attack early next morning. “I was on the offensive. I had already been wounded. I wasn’t in a good mood,” he said. It was in these minutes that he killed the two Americans who’d gone down a hole.

Hagen recalled, on-camera:
“The majority of the people that were there were not combat personnel. They were more of a transportation unit. The few infantry people that they had, we overran instantly. We basically destroyed everything that was there.”

McCarley recalled “90-some, up to 100” dead bodies.

Up to 20 of them looked like Americans, according to Van Buskirk, based on what he was told by the mercenaries. Van Buskirk said he looked into only one hooch [dwelling]. He told CNN the dead bodies looked like hamburger meat. None of the bodies were brought outside or identified.

Exodus Blocked

Turning to leave, the Hatchet Force found themselves cut off from the designated helicopter pick-up site by enemy fire from a nearby ridgeline. They called for a gas attack, from Air Force planes standing by overhead to cover their evacuation.

“I said I wanted the baddest of the bad,” Van Buskirk told CNN.

Two planes swooped in low and dropped gas near the base of the ridgeline, between the enemy troops and the landing site.

Some gas blew downwind onto the SOG team.

“It was tasteless, odorless. You could barely see it,” recalled Hagen.

The enemy, unprepared, lacked gas masks. So, they took a harder hit.

“They had thrown up. They were in convulsions on the ground. I don’t think too many of them got up and walked away,” Hagen told CNN on camera. Van Buskirk adds:

“I look down into this valley, all I see is bodies. They do not fight anymore. They are no longer combatants.”

In all, six SOG sources told CNN about the use of sarin. The gas, the men say, stopped the enemy, and allowed them to reach the helicopters and escape. Van Buskirk later briefed Gen. Creighton Abrams, the top U.S. commander in Vietnam, on the raid. He and McCarley were given the Silver Star for valor.

Sarin was not technically illegal at the time. The U.S. had signed, but had not yet ratified the Geneva Protocol banning the use of nerve gases. But the Nixon administration’s stated policy was “no first use” of lethal gas in combat.

The U.S. presence in Laos was illegal; the U.S. had not declared war against it. Operations there were routinely denied.

Support for the commandos’ claim that sarin was used in their rescue comes from pilots who flew the air cover, and dropped gases on enemy soldiers during search and rescue (SAR) missions like the Tailwind evacuation.

Pilots Describe Gas

Two dozen pilots were interviewed by CNN. Five said nerve gas, or killer gas or GB was available for SARs. Three pilots said the available gas of last resort was CBU-15, or sarin. Five others said a special sleeping gas or last resort gas that was not tear gas was available.

One pilot said, “[P]robably two canisters were put on each SAR aircraft for each mission . . . The last batch of GB I personally dropped . . . was pretty good stuff . . . .”

CNN: “You said you personally dropped it [GB]?“
“I dropped it probably three or four times.”

Another pilot adds:
“[W]e would send a paramedic down in a gas mask [during a rescue operation] . . . so if the [American] pilot was incapacitated, too, the medic could treat him fast [with atropine-DZ]. The [enemy] bodies would be laying, flopping there like dead bugs.”

The pilot adds:
“[W]e did use nerve gas out there in Laos.”

A marine helicopter crew chief on Tailwind, John Snipes, told CNN:

“Afterwards, they told us that to use the gas, that they had to wake up Pres. Nixon to get him to sign off on it.”

CNN also obtained confidential information far up the chain of command that confirms to one degree or another the validity and accuracy of the commandos’ allegations about sarin.

One of these validating sources is a highly placed intelligence officer who provided the CNN producer, through a third party, with information confirming that CBU-15 was used.

This source reviewed documents and assured the intermediary, who passed the information on, of the accuracy of the broadcast. The source also reviewed the entire broadcast prior to its being shown and agreed with its conclusions.

This source did not provide the information directly to the producer; they did meet, however. So CNN can’t assess the precise questions asked of and answered by this source. But, based on the intermediary’s report, the source’s statements lend considerable support to the commandos’ and pilots’ allegations.

Some of the men who were on the ground near Chavan, in Laos, in September, 1970, had no doubts at all. Says reconnaissance leader Jay Graves:

“[T]hey were using nerve gas in that shit and not telling anybody about it!”

No Answer from Laos

In mid-August, PROBE queried the Ministry of National Defense of the Laotian government directly, in Vientiane, and also through its embassy in Washington. We asked if they could confirm, deny, or would comment on the CNN allegations. We followed up by phone to Washington in September. As of October 1, we have not had a reply.

October 1998
What Gas Was It?

This story, like that on Page 1, is based on CNN producers April Oliver and Jack Smith's reporting prior to the cablecast of "Valley of Death" on June 7. — ed.

The CNN journalists reported that a "crucial source" was retired chemical researcher Bill Dee, who worked at the Aberdeen Proving Ground, in Maryland, during the Vietnam War; Aberdeen is a major Army ordnance facility for gas weapons. Dee was involved in "weaponizing" chemicals for offensive use during the war, said Oliver and Smith.

He told them only four gases were weaponized in the U.S. arsenal at that time: CS, a tear gas; BZ, a delayed-action hallucinogen; GB, which is sarin; and VX, a deadly nerve gas that is lethal to the touch. Dee said large amounts of GB sarin were weaponized because it responded well to the antidote atropine and was considered a non-persistent nerve gas.

A Pentagon manual, Military Chemistry and Chemical Agents (1963), describes these gases:

- **CS** — highly irritating, solid, non-toxic tear gas for training and riot control
- **GB** (sarin) — nearly-odorless nerve agent for quick-action casualty use; very readily causes cessation of breath and death may follow
- **VX** — odorless nerve agent for quick-action casualty use; very readily produces casualties when inhaled or absorbed (through skin).

**BZ** — delayed-action temporarily incapacitating agent.

[The Pentagon stipulated, in July, that the gas used in the Tailwind evacuation was CS, not GB — ed.]

Some SOG commandos used terms like "sleeping gas" and "in incapacitating gas" in CNN interviews. The producers' Rebuttal says Pentagon chemical weapons expert Gen. Walt Busbee said, on camera, "I'm vomiting. My nose is running. I've got mucus coming out of my men's noses. They are sick and having a hard time breathing.

This is what CNN's sources said about the gas, according to the Rebuttal:

- **Van Buskirk:** He was consistent throughout the eight-month reporting process, describing the gas alternatively as a "lethal war gas" or "weaponizing gas. We knew its impact was far greater than CS. CS you can work through. But not this."
- **Capt. McCarley:** "It didn't really look like anything . . . It wasn't powder definitely. I mean, it left no residue on you."

These are the views of CNN's expert consultants:

- **Matt Meselson,** a Harvard biochemist who is an expert on poison gases used in Southeast Asia: "GB causes vomiting, diarrhea, difficulty breathing, difficulty in vision, muscular twitching, convulsions, partial paralysis and death."
- **CS (tear gas) causes a stinging sensation on the skin and it . . . makes you want to close your eyes. But it doesn't cause convulsions. It doesn't cause diarrhea. It doesn't cause all your glands of your autonomic nervous system to secrete. And it certainly doesn't cause death."

- **(GB symptoms are) "you defecate, you urinate, difficulty in vision, difficulty in breathing. Then convulsions, then paralysis and then death."
- **"Pure sarin has no odor whatever. And it's a liquid, a more or less colorless liquid that evaporates as water does [it is therefore not persistent]."
- **Question:** So — a drop won't kill you?
- **"No, not on your skin."

**Sarin Use Doubted**

Col. Fred Sidell, M.D., a chemical weapons expert: "Argued it could not have been sarin, because he did not believe sarin was in theater during the Vietnam War. (Since our broadcast. Secretary of Defense Melvin Laird has told the AP that sarin was shipped there in 1967)."

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- **Amy Smithson,** of the Henry L. Stimson Center, in Washington, is frequently used by CNN as an on-camera expert on chemical weapons. She says vomiting, diarrhea and convulsions are "symptoms that would not associate with exposure to a nerve agent. not exposure to something like tear gas." Her testimony was largely consistent with the other chemical experts.

- **Dr. Julian Robinson,** a very highly regarded British chemical weapons expert: He told CNN that CS would look totally different from GB. You would see CS tear gas burning on the battlefield. No commando described this to the producers. He also said that GB is dispersed as a liquid with an explosive, and with very little smoke. continued on following page
PROBE’s Findings On Tailwind Story

Based on our review of the file to date, we think:

1. “Valley of Death” was and is solid reportage, without Adm. Moorer, and even without Lt. Buskirk.
2. The CNN evidence indicates, but does not prove, that the U.S. used sarin and targeted defectors in Laos.
3. CNN crucified April Oliver, Jack Smith, and Pamela Hill — the acknowledged best of their best — in kowtowing to the Pentagon and its supporters.
4. The Abrams/Kohler Report, which does leave room — which we have utilized — to re-establish “Valley of Death,” nonetheless is an embarrassment for Abrams as a First Amendment lawyer, and for CNN.
5. If firings were necessary, the chains of command at CNN and Time, including CNN executives Rick Davis and Tom Johnson, and Time editor-in-chief Norman Pearlstine — who were informed, and were ultimately responsible for the stories — should have been fired, too.
6. Steve Brill failed to deal with the “content” of the story because he accepted Abrams’ findings as given, rather than subjecting them to critical analysis. He acknowledged his friendship with Abrams — who is his magazine’s lawyer — and should have recused himself, and let someone else report the story for Brill’s Content.
7. CNN, Time, and the other Time-Warner companies have demonstrated their inability to critically report Pentagon stories.
8. These failures are a significant threat to America’s free press, a pillar of the democratic system of government.
9. April Oliver, Jack Smith, and Pamela Hill are owed our thanks for a job well done.

— D.R.Z.

How...

continued from page 5

some of the questioning of him,” the A/K Report says.

Nevertheless, per the A/K critique, the “Valley of Death” investigation can be written with Van Buskirk as a secondary, rather than a primary source. Ditto Adm. Moorer. And, this is precisely what we have done, in our main story, starting on P. 1:

We have taken the CNN and Time reports, now retracted, and we have rewritten them. Rewriting one’s own or others’ stories is an exercise that journalists perform every day. More specifically, we rewrote them with the A/K Report at our elbow — as though it were a critical memo from our editor — and used it as guidance. Our rewrite conforms to the strictures set forth in the A/K Report with regard to what is and what is not credible. The story on Page 1 directly reflects the two retracted media presentations, plus interview material and outtakes in the Briefing Book (the accuracy of which has not been challenged).

Why do this?

Jellyfish Is Beached

Because our reading has convinced us that the story is valid journalism. It is accurate in the use of source materials. It includes serious allegations that should be part of the public record, so that others can use and investigate them further.

continued from previous page

This was consistent with the descriptions from the commandos. He flatly said that CS tear gas is not nauseating nor incapacitating.

“In field trials during this era, the U.S. military discovered you would have trouble using CS in battle conditions because it would be nearly impossible to get it to a useful concentration.”

To the question “What gases cause you to lose consciousness and vomit within minutes?” Dr. Robinson said the “description is spot-on for nerve gas.”

Bill Dee: GB is a liquid. CS is a power. GB would create a liquid-like fog. CS would create a particle cloud. GB was aerosolized, but it would be released by explosives. Tear gas would not be released by an exploding munition.

No strength of CS tear gas will do the same as GB (sarin). CS tear gas is a relatively tame compound, it only irritates the mucus membranes. You really cannot get CS up to a high enough concentration outdoors to provoke serious reactions. You would not have anybody dying from CS — absolutely impossible. Convulsions, and even vomiting — outdoors — is unlikely. CS is not a knockout gas, no way. You recover immediately from CS in open air. It is quite discernible as CS by its odor and its white color. Atropine does no good for CS. No combination of tear gases cause diarrhea. You can progress as far as convulsions after exposure to GB, and still revive, even without an atropine injection.
CIA Role Ignored

Conspicuously absent in the Tailwind story is the CIA. *Time* doesn’t mention the agency. CNN mentions it once, quoting Capt. Eugene McCarley saying that Tailwind was support for a nearby CIA mercenary operation — *not* a mission to kill defectors. Then, in the wrap-up, correspondent Peter Arnett says, in passing, that Adm. Moorer claimed the CIA had "partial responsibility" for Tailwind.

The source material in the producers’ Rebuttal, however, points a stronger finger at the CIA. Here’s what Moorer said, on a subject he clearly knows a lot about, in outtakes from an interview with CNN’s Oliver:

Moorer: Now I want you to understand that I didn’t really get heavily involved in Tailwind. I did not have operational control . . . . It did not go through the JCS [Joint Chiefs of Staff].

Oliver: Who did it go through?

Moorer: Well, SOG after all was conceived by agents of the CIA . . . . The CIA and the White House would know about this before the JCS.

Elsewhere in the interview, Moorer adds:

“[Y]ou are now talking about an operation conducted by the CIA . . . . not unlike the Bay of Pigs . . . . Now, generally, they did not refer their specific tactical plans to the JCS. Generally we [JCS] would know about the plan . . . . But you have an operation like this, you’ve got to realize how different it is from straightforward military operations, where the chain of command is absolutely clear, pop, pop, pop, right on down . . . .

“[T]he CIA operates [in] a sub rosa [way] different from a military operation.”

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