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24 July 2015

Mr. John Greenewald  
The Black Vault



Reference: F-2014-00280

Dear Mr. Greenewald:

This is a final response to your 15 September 2014 administrative appeal under the Freedom of Information Act (FOIA), which was processed under the referenced case identification number by the office of the Information and Privacy Coordinator. As a reminder, you appealed our denial of material responsive to your original request.

***The Agency Release Panel considered your petition and partially granted your administrative appeal in accordance with Agency regulations set forth in Part 1900 of Title 32 of the Code of Federal Regulations.*** In reaching this determination to overturn some aspects of CIA's initial-level processing of this request, the Agency Release Panel concluded that document, previously denied in full, can now be released in part with portions being withheld on the basis of FOIA exemption (b)(3) and (b)(7)(d). As the panel's Executive Secretary, I am the CIA official responsible for informing you of the appellate determination.

In accordance with the provisions of the FOIA, you have the right to seek judicial review of this determination in a United States district court. Alternatively, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and federal agencies. Using services offered by OGIS does not affect your right to pursue litigation. For more information, including how to contact OGIS, please consult its website, <http://ogis/archives.gov>.

Sincerely,

A handwritten signature in cursive script that reads "Michael Lavergne".

Michael Lavergne  
Executive Secretary  
Agency Release Panel

<b>Investigation Case Record</b>	<b>Principal Investigator(s):</b> Assigned (Entered) 04/13/1998
	(b)(3)

**EnteredDate:** 04/13/1998    **InvCompletedDate:**    **ClosedDate:** 01/14/1999

**CaseTitle:** ALLEGATIONS OF BIOLOGICAL EXPERIMENTS IN VIET NAM

<b>Subject Name</b>	<b>SSN</b>	<b>Organization</b>	<b>Grade</b>
N/A, N/A	(b)(3)	AGENCY-WIDE	MISC

**WhereIncidentOccurred:**    **Location:**    **Component:** AGENCY-WIDE

**Category**  
Unsubstantiated Allegations

<b>Source Name</b>	<b>Organization</b>
FBI-OFFICE OF PUB & CONG AF	(b)(7)(d)

**CrossRef:**

**Keywords:** SEN GRAMM, VIET NAM, [redacted] DODIG, BIOLOGICAL EXPER (b)(3)

**AllegationOrIssue** The following information is being entered by Investigator [redacted] (b)(7)(d) [redacted] wrote to the Director, FBI on January 2, 1998 and Sen. Phil Gramm, Texas on Feb 2, 1998. Claims an unnamed subsource is aware of an incident in 1966 where the CIA and U.S. military forces committed a friendly fire mass murder of U.S. soldiers to conceal evidence of war crimes in which Viet Cong prisoners were used for biological experiments and then murdered. (b)(7)(d)

**CaseClosureJustification** Special Summary: \*\*\*\*\* COMMENTS: [redacted] claims that an unnamed subsource of his served in the Republic of Viet Nam (RVN) as a U.S. Army private and was aware of an incident at a location called "The Forge" in the Central Highlands of the RVN in 1966 where, in a subterranean area, "Oriental Prisoners of War" (POWs), who were sick and had been "tried by summary court martial and sentenced to death", were shot by the private upon orders of an unnamed Army Captain. Then their bodies were hoisted by cable and dropped into a concrete vat. The POW's bodies then dissolved when emersed into the liquid. All the POWs were executed and disposed in that manner. Then, as this complex, "The Forge" was about to be overrun by North Vietnamese soldiers the captain ordered the complex blown up with explosives. That done, U.S. aircraft also bombed The Forge "probably killing the remaining U.S. Army soldiers in the process." The U.S Army private (subsource) escaped. The captain and two staff sgts, who operated the vat, were killed by friendly fire. [redacted] claims the subsource was rescued,

interrogated, and ultimately arrested for desertion and hospitalized in mental wards at Ft. Devens, Ma, Ft. Dix, Maryland (sic), Fitzsimmons Army Medical Center, Colorado, before he was discharged and returned to his home town of Dallas, Tx.

(b)(7)(d)

[redacted] indicates that his reconstruction of the events indicates that President Kennedy ordered the experiments and President Johnson continued the (b)(7)(d) ordered the mass murder of the U.S. soldiers as a coverup. [redacted] suggests that the U.S. Army soldiers were killed to prevent them from telling what they might have learned about the experiments at The Forge. (b)(7)(d)

Closing Action: On 12/11/1998 DoD/OIG reported by letter to Senator Phil Gramm the following pertinent paragraphs: "We conducted an inquiry into the matters of concern presented. After interviews with [redacted] and the source that he claimed has 'first hand knowledge', the [U.S. Army] Criminal Investigation Division (CID) determined that there was no credible evidence to investigate the allegation. (b)(7)(d)

We regret this reply cannot be more favorable to [redacted] however, the results of the inquiry disclosed no basis for further action by this office on his behalf."

Central Intelligence Agency



Washington, D.C. 20505

22 September 2014

Mr. John Greenwald  
The Black Vault



Reference: F-2014-00280

Dear Mr. Greenwald:

This is a final response to your 19 November 2013 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 20 November 2013, for a **copy of the final CIA/IG report, published circa 1/14/1999 about Allegations of Biological Experiments in Viet Nam**. We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. Our processing included a search for records as described in our 3 June 2014 acceptance letter.

We completed a thorough search for records responsive to your request and located material which we determined must be denied in its entirety on the basis of FOIA exemptions (b)(3), (b)(5), and (b)(7)(d). An explanation of exemptions is enclosed. Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are Section 6 of the Central Intelligence Agency Act of 1949, as amended, and Section 102A(i)(1) of the National Security Act of 1947, as amended. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 45 days from the date of this letter. Please include the basis of your appeal.

Sincerely,

A handwritten signature in black ink that reads "Michele Meeks".

Michele Meeks  
Information and Privacy Coordinator

Enclosure

## Explanation of Exemptions

### Freedom of Information Act:

- (b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;
- (b)(2) exempts from disclosure information which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;
- (b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;
- (b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;
- (b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source or, in the case of information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;
- (b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and
- (b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

April 2012