



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 628-6811

March 17, 1980

Mr. Dermot Foley
10 Ocean Avenue
Larchmont, New York 10538

Dear Dermot:

An unusual subject was recently raised which perhaps you can clarify since it pertains to a statement attributed to you during the status review hearing on Captain Earl P. Hopper, Jr., USAF, conducted at Randolph AFB, February 7, 8 and 9, 1980.

During discussion with USAF Casualty concerning statistical information on POW/MIA, I was questioned as to whether I actually have a secret clearance. The basis for the question was that you, League counsel, had stated that I do not.

Of course, I was quite surprised by this question and asked for clarification. The following statement was then read to me:

True!
"Ann Mills Griffiths, as I understand it, does not have a security clearance and through this proceeding or any other way it can be done, I'd like to put everybody on notice that if anybody is attempting to convey information through Ann Mills Griffiths, who is being given, apparently, classified information without having a security clearance, they should now know that they are in violation of the criminal laws of the United States of America. The thing needs to be clarified in a much better way. She does not have a clearance."

As a result, I attempted to contact our Board Chairman, Earl Hopper, for additional information. Since he was not in, I spoke with Mrs. Hopper who did not remember having heard any mention of my name during the hearing. I later had a lengthy conversation with Earl during which he played a portion of the taped hearing, including your comments as related above. *37 minutes*

My questions are simple. What motivated you to make such a statement? What positive result did you hope to achieve which might assist in obtaining the release of prisoners and an accounting for those missing? Was there anything productive to be gained by insinuating that anyone, presumably DIA personnel, who provides me with information is "in violation of the criminal laws of the United States of America"?

No! - DIA secrecy agreement

As you may now be aware, the interim clearance which I signed prior to Board consideration was in effect since November 16, 1979. The Board of Directors later approved retention of the secret clearance by a vote of 6 yes, 1 no at the January 25-26, 1980 Board meeting with the full realization that classified

Mr. Dermot Foley

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1200 K STREET, N.W., WASHINGTON, D. C. 20004 (202) 638-1111

not true
information to which I have access could not be related to them without prior approval of the classifying agency. You may also be aware that I am trying to facilitate a means of orally briefing the full Board on classified data.

In the collective opinion of the Board, it is preferable for me to have access since it allows discussion on classified information with USG agencies directly responsible for resolution of the POW/MIA problem.

As discussed with the Board Chairman, I am distressed that you would make such a statement and that he would permit it to go unchallenged since he was fully aware of the Board's action in support of my retention of the security clearance.

Hopefully, your comment will not jeopardize the League's credibility nor the potential for access to classified data, although I am obliged to ensure their awareness of your implied threat of criminal liability.

I would appreciate receiving your response to the questions contained in this letter prior to the scheduled Board of Directors meeting, April 11-13, 1980, Bolling AFB.

Sincerely,

Ann Mills Griffiths

Ann Mills Griffiths
Executive Director

cc: Board of Directors

X
I cannot continue to effectively function as Executive Director under the present circumstances. There comes a time when anyone's effectiveness must be weighed in view of the overall objective. If as serving as Executive Director has reached the point of being unproductive, then the League should select someone who can work harmoniously with the Chairman, while simultaneously carrying out the guidelines established by the Board.

I am extremely disappointed that you, as Chairman of the Board and as an individual with whom I have worked for so many years, could not find an opportunity to refute Dermot's statement nor bring the matter to my attention.

The League's objectives are far too important to be relegated to infighting and dissent.

Sincerely,

Ann Mills Griffiths
Ann Mills Griffiths
Executive Director



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1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 628-6811

March 19, 1980

Colonel Earl P. Hopper, Sr., AUS-Ret.
Chairman of the Board
National League of Families
7867 North 49th Avenue
Glendale, Arizona 85301

Dear Earl:

After careful consideration of the conversation we had last Saturday, I have written to our League counsel, Mr. Dermot Foley, concerning the statement he made at your son's status review hearing. A copy of that letter is enclosed for your information, and copies will be sent to each member of the Board of Directors along with a copy of this letter.

The situation involving my having access to classified data has reached proportions which bear serious attention by the entire Board. In my estimation, it is unproductive to have such allegations being made by the League's counsel, particularly when tacitly agreed to by our Board Chairman.

You have indicated that this subject will again be raised at the upcoming Board meeting. Although I had thought the matter concluded by the Board's vote of approval at the last meeting, I am pleased that this is the case since clarification is mandatory in the best effort of cohesive effort.

X I cannot continue to effectively function as Executive Director under the present circumstances. There comes a time when anyone's effectiveness must be weighed in view of the overall objective. If my serving as Executive Director has reached the point of being unproductive, then the League should select someone who can work harmoniously with the Chairman, while simultaneously carrying out the guidelines established by the Board.

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Sincerely,

Ann Mills Griffiths
Ann Mills Griffiths
Executive Director



March 19, 1980

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OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 626-6811

Memo To: Board of Directors ONLY
From: Ann Griffiths, Executive Director
Subject: Confidential Information and Update

Enclosed are copies of two letters concerning a problem which I feel must be brought to the attention of the entire Board of Directors. Please read the two letters before continuing this memo.

As you are aware, discussion was held at the last Board meeting on the subject of my having access to classified data. The content of the letters, I feel, is self-explanatory. My concern stems from apprehension that DIA will withdraw the clearance in view of the implied threat of criminal liability.

The inevitable result is that the League will no longer have direct input into discussions on policy matters, live sighting information, resources being allocated to pursue POW/MIA data and the results of those efforts, etc. Not only would access to sighting reports be discontinued, but representation at classified briefings before Congress would stop. Agreement placed at 1/4/80

7 The League's assertive perseverance and scrutiny, from a standpoint of direct input, has played and is playing an important role. Due to many factors, substantial progress has been made in the last two years. It is becoming more and more positive that Americans are still held captive. To discourage cooperation between the League and Congress/USG Agencies by inability to provide direct input is to "cut off your nose to spite your face."

As you can derive from the enclosed, I feel very strongly on this subject and know that all of you undoubtedly have equally strong feelings, one way or the other. The Board must again discuss this subject at the upcoming meeting, according to the Board Chairman who has so indicated.

The problems being caused by dissension within the League leadership are surmountable when considered in light of our objective. It is my hope that an amicable consensus of opinion can be obtained by which all Board members, the Executive Director, the Board Chairman and Counsel can abide, in fact must abide. To do otherwise is to work in opposition to the purposes of the League.

Ann Griffiths



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 628-6811

26 March 1980

Mrs. Ann Griffiths
1608 K Street, N.W.
Washington, D.C. 20006

Dear Ann

Reference is made to your Board memo of 19 March with its two attachments and to our phone conversation of 15 March.

During our phone conversation I thought I had satisfactorily explained to you the circumstances surrounding the subject of your memo in the simplest terms possible to include allowing you to listen to some 5 or 6 minutes of the tape of the hearing. Since you have failed to understand me and since you have chosen to blow this incident out of proportion by making it a Board issue instead of handling it on a personal basis with Dermot as I recommended, I will review these circumstances for you and for the benefit of the Board.

Additionally, I have some very frank comments to make.

I explained to you, and you know from listening to the tape, that during the course of the hearing and particularly at the time Dermot made the remark about your "security clearance", we were involved in a very intense discussion on our objection to allowing members of the Review Board to read the reports on refugees Giang, Trieu, Loc and Le Dinh without our having access to them. DIA had sent these reports to Randolph for reading by the Review Board not at my request, having previously denied my request for an unclassified version of them. My concentration was upon the argument of our objection and you or the mentioning of your name and clearance was the least important subject at the moment. In fact, it was so lacking in importance that neither Bette nor I even remembered it being mentioned until after your call to Bette and my research of my hearing tapes to find it. You heard from the tape that the AF Legal Advisor stated that Dermot's statement was irrelevant to the hearing and the discussion at that time, therefore its lack of importance failed to register with anyone. With all due respect to your modesty, since the hearing was not a public forum and the comment was insignificant and unimportant, why should I have made note of Dermot's comment?

I offer no apology for failing to set the record straight or for failing to correct Dermot's statement given the circumstances and I reject completely your attempt to admonish me by distributing a personal letter to me to Board members, an act indiscretion and and poor judgment by you.

I will not attempt to answer questions you have asked of Dermot as I feel he will ably do this himself, however be advised that Dermot is correct in his statement that you do not have a "security clearance" and anyone outside of DIA giving you access to classified material would be in violation of Federal laws.

A security clearance is issued to persons within the military or government, or someone who is hired to work on military or government projects, and specifies the degree of clearance or level of access to classified material that individual is entitled. It is valid within any agency of the government or branch of the military providing there is a "need to know".

What you have signed is not a security clearance. You signed a Secrecy Agreement with DIA which commits you to all types of restrictions and agreements strictly prohibiting your discussion of any classified material gained from DIA with anyone outside of DIA. It is so prohibitive that not only would you be in violation of the Espionage Act to reveal information now, but any time in the future as well, by word or written. It further requires you to "submit for review" to the Director of DIA any written material you may wish to publish. You have agreed that all material furnished you is the property of DIA and that you must report, to your superior obviously within DIA, all details of violations.

There are no provisions for loopholes or verbal agreement which could be construed as exceptions to this written agreement. You are completely subjugated to DIA. A copy of subject agreement is attached.

I should inform you at this time that an unethical violation of my privacy has been made by Major Brom through the release of information from the transcript of my hearing without my knowledge or consent. You, in turn, have done the same. Under the provisions of AF Regulation 35-43 status review hearings are "closed to the public", therefore all proceedings resulting from those hearings are closed to the public including the transcript of the hearings. Obviously this did not occur to you in your haste to vent your anger at Dermot and me, however ignorance is no excuse.

I have been in communication with Colonel De Ruyter, JAG at Randolph AFB and have registered a strong protest. I still have not determined a logical reason for Brom to voluntarily provide you with this information, but I strongly suspect you have been unwittingly used to cause dissension with the League leadership and/or to increase the discord between you and Dermot. I was surprised to learn that apparently someone with a loose mouth had informed the people at Randolph of problems between you and Dermot. By your own statement they knew of your clearance before your conversation with Major Brom.

The issue of intrusion of my privacy has not been settled yet, although a feeble attempt to down play it has been made.

I am disappointed that you have allowed yourself to be used in this manner and that you have permitted your personal vendetta and

animosity towards Dermot to override more rational judgment. You could reasonably be asked the same type questions you posed to Dermot - What motivates you to make an issue of this matter? What positive results do you hope to achieve? How does it contribute towards gaining an accounting of our men? Is there anything productive to be attained by making a major issue of Dermot's statement?

Even if Dermot provide you with the answers you want, what have you accomplished and what will you do with the information? Or, on the other hand, what if he does not provide you with the answers you want to hear?

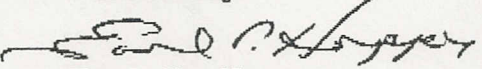
I was surprised at your strong concern that DIA would withdraw your clearance if they learn of the implied criminal liability for security violations and that you were "obliged to ensure their awareness of your (Dermot's) threat of criminal liability". This tells me you are more concerned with your relations with DIA than you are concerned about your relations with Dermot, or with me. If, however, you do have an honest concern for DIA awareness, then why are you publicizing this incident and blowing it out of proportions? Since status review hearings are not open to the public then how would DIA have learned about Dermot's statement, except through you.

It is apparent that your vanity and personal feelings have been hurt over this incident, and that you have not yet learned to separate your personal feelings which normally lead to emotional decisions from your professional feelings which lead to more rational decisions. In this case, indications are that you have allowed your personal feelings to dominate and it has lead to an emotional decision of vengeance, otherwise this issue would have been settled amicably on a personal basis between you and Dermot as I suggested to you during our phone conversation.

It would be advisable for more effort be devoted to smoothing and cementing relations between you and Dermot than causing more friction and discord.

I agree with you that the League's objectives are far too important to be relegated to in-fighting and dissent, so allow me to suggest to discontinue contributing to it.

Sincerely


Earl P. Hopper
Colonel, AUS-Ret.
Board Chairman

atch: Copy of DIA Secrecy Agreement

cc: Board of Directors, Legal Counsel