

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Folder Title:

No Gun Ri 2000 [Korea] [1]

Staff Office-Individual:

Defense Policy-Binnendijk, Hans

Original OA/ID Number:

3482

Row:	Section:	Shelf:	Position:	Stack:
32	1	1	1	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Hans Binnendijk to @APNSA re Update on No Gun Ri (3 pages)	12/14/2000	P1/b(1)
002. notes	handwritten, re meeting with "outside experts" on No Gun Ri (2 pages)	c 12/2000	P1/b(1)
003. paper	Interagency Discussion on No Gun Ri (6 pages)	12/13/2000	P1/b(1)
004. email	Hans Binnendijk to @RUDMAN re No Gun Ri (1 page)	12/12/2000	P1/b(1)
005. cable	re No Gun Ri, Building on the SMU (3 pages)	12/12/2000	P1/b(1)
006. notes	handwritten, re No Gun Ri Q&As (2 pages)	c 12/2000	P1/b(1)
007. paper	Interagency Discussion on No Gun Ri [duplicate of 003] [page 6 only] (1 page)	12/13/2000	P1/b(1)
008. email	Mara Rudman to Justin Siberell et al, re No Gun Ri Update/Decision (3 pages)	12/04/2000	P1/b(1)
009. report	re No Gun Ri (1 page)	12/05/2000	P1/b(1)
010. cable	re No Gun Ri: Preparing for the Conclusion (3 pages)	11/29/2000	P1/b(1)
011. notes	handwritten, re meeting on No Gun Ri (2 pages)	c 11/2000	P1/b(1)
012. email	Jonathan Scharfen to Hans Binnendijk re No Gun Ri (4 pages)	10/10/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F

kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]

P2 Relating to the appointment to Federal office [(a)(2) of the PRA]

P3 Release would violate a Federal statute [(a)(3) of the PRA]

P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]

P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]

P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]

b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

b(3) Release would violate a Federal statute [(b)(3) of the FOIA]

b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
013. email	Justin Siberell to Hans Binnendijk re No Gun Ri Update/Decision (2 pages)	12/18/2000	P1/b(1)
014. cable	re No Gun Ri: PM's Office Readout (5 pages)	01/02/2001	P1/b(1)
015. cable	re No Gun Ri (1 page)	01/02/2001	P1/b(1)
016. email	Randy Beardsworth to Hans Binnendijk re No Gun Ri (6 pages)	01/04/2001	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F

kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

ROK OUTSIDE EXPERT VISIT TO WASHINGTON PROVES TIMELY

Today, senior officials of the Department of Defense and the Nogun-Ri “Outside Experts” from the Republic of Korea held serious and constructive talks on the status of the Nogun-Ri review. Assistant Secretary of Defense for International Security Affairs Franklin D. Kramer led the US delegation that included Assistant Secretary of State Stanley Roth, Principal Deputy Under Secretary of Defense for Personnel and Readiness Charles Cragin and Ambassador Thomas Hubbard, Principal Deputy Assistant Secretary of State for East Asian and Pacific Affairs. Retired General Paik Sun-yup led the Korean delegation that included four additional “Outside Experts” from Korea and representatives from the Office of the Prime Minister. In addition, the Korean group met with the Deputy Secretary of Defense Rudy deLeon and Secretary of the Army Louis Caldera.

The “Outside Experts” are advisors appointed by the Korean government to provide counsel on the Nogun-Ri investigation.

During these meetings, both countries discussed progress on determining the facts of what happened at Nogun-Ri. The two sides agreed that the close bilateral cooperation on this issue reflects the trust and friendship built in over fifty years of partnership. The two sides pledged to continue their close cooperation to ensure that the ROK-US relationship remains as strong as ever.

Commenting on the numerous media reports on the Nogun-Ri investigation, the US and ROK delegations agreed it was important to continue close cooperation. They agreed that since portions of the Nogun-Ri report are still being completed, the meetings held today were timely and helpful in bringing the investigation to closure. The US and ROK delegations emphasized that the dignity and sacrifices made by the Korean villagers and US veterans should not be diminished. Lastly, while both sides desire to conclude the Nogun-Ri review by the end of the month, they recognized there are still details that need to be discussed.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Hans Binnendijk to @APNSA re Update on No Gun Ri (3 pages)	12/14/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

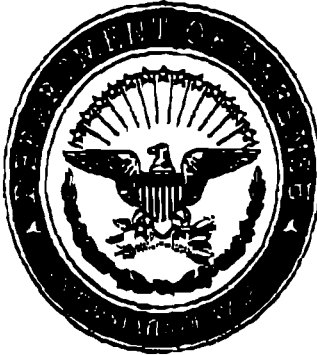
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

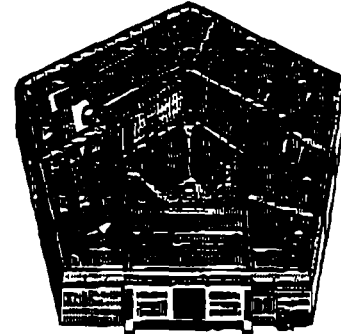
ASIAN AND PACIFIC AFFAIRS



Office of the Secretary of Defense International Security Affairs

Room 4C839, The Pentagon
Washington, DC 20301-2400

(703) 695-7005, (703) 695-4175;
FAX: (703) 695-8222



Number of Pages (Including Cover)	Date 12-14
From Jodi Kerasi	Office Telephone
To Mary Tighe	Office
Office Telephone	Fax Number

For me reflect
Draft A's - A's - there are
a couple that may be useful
for your mtg this morning.

Jodi

- It is inappropriate, at this point in the review process, to speculate about how the information may be used after completion of our review and preparation of the report.
- Normally, most witnesses are not suspected of having committed any criminal offenses. If, during the course of the review, the facts raise a reasonable suspicion that a witness may have committed a criminal offense, the witness will be advised of his legal rights prior to being interviewed regarding information that could potentially be used in a criminal proceeding.
- Witnesses will also be provided the opportunity to consult with counsel of his own choice or military counsel provided by the witness's former Military Service.

Q's and A's:

Q. What are your comments on the ROK-US statement of mutual understanding. Will this be the review's final conclusion?

A. The objective of the Army's review is to determine the facts and to provide a report for public release that reflects a full and comprehensive account of what occurred at No Gun Ri. Until our review is complete, it would be inappropriate to comment on working draft documents that do not constitute the final product of the review.

Q. Member of the "Outside Experts" recently made some comments in The Korea Society Quarterly and the Harvard Crimson that go beyond what the Army has said to date. What is the Army's position on these comments?

A. Each of the "outside experts" was invited by the SECDEF because of their individual backgrounds, professional expertise and insight. They have provided, and we expect will continue to provide, valuable advice. While they are certainly free to express their personal opinions in public forums, this review is still ongoing and the opinions of the "outside experts", as they relate to the review, will be provided within the context of that review and not in other forums.

Q. An Air Force document in the National Archives states that US Army forces sought, essentially, indiscriminate aerial strafing of groups of Korean civilians. What was the Army's official policy concerning the strafing of civilians?

A. To date, the Army has been unable to find any Army document espousing or supporting an Army policy as described in the Air Force memorandum or any verbal testimony hinting that such a policy existed.



Q. How did the Army's policy stack up against international law at that time?

A. We can't address this question until we are able to determine whether there ever was such a policy and its context.

Q. If US soldiers violated the official policy, was this tantamount to a war crime?

A. The review is still ongoing and speculation at this point is irresponsible. It is premature to discuss our findings until the review is complete.

Q. Did the policy evolve over the course of the Korean War?

A. We can't address this question until we are able to determine what, if any, policy existed.

Q. Has the Army discovered other documentation that confirms the statements made in the Air Force document?

A. To date, the Army has not discovered any Army document espousing an official Army policy as described in the Air Force memorandum or any verbal testimony hinting that such a policy existed.

Q. The Air Force document seems to recognize that indiscriminate strafing of civilians was wrong. Why did the Army not also recognize this?

A. It is premature to draw any conclusions from this document. We can't address this question further until we are able to determine that any such policy existed as described in the Air Force document.

Q. Has the Army shared this document with the Korean review team.

A. Yes. The Army has provided copies of the document as part of our on-going commitment to share information with our Korean counterparts.

Q. If there was such a policy during the Korean War, how would the Army view it today?

A. Pending completion of the review, is inappropriate to speculate.

Q. Why did the Army put a gag order on MAJ Bateman (The history professor at West Point)?

A. As part of the review, the Office of the Inspector General interviewed many Korean War veterans. Major Bateman, a history instructor at the United States Military Academy, in conducting research for his work on the history of the 7th Cavalry Regiment, was also interviewing some of the same Korean War veterans. Major

Bateman's work is totally unrelated to the Army's No Gun Ri review, yet many veterans were confusing Bateman's work with that of the IG. Bateman's interviews were also causing the veterans to discuss events among themselves, perhaps affecting information that may be of value to the No Gun Ri review. In an effort to maintain the integrity of the veterans' testimony, the Army asked Bateman to stop interviewing 7th Cavalry vets until the Army has completed its review of the No Gun Ri incident.

Q. Numerous publications are saying Edward Dally is a fake. Is this the official conclusion of the review team and how long has the Army known about it?

A. In order to maintain the integrity of the No Gun Ri Review, we will not address the accuracy of any press reports. As part of the review, the IG reviewed the records of many Korean War veterans, to include Edward Dally's. It is premature to discuss our findings until the review is completed.

Q. Several recent press reports have quoted an unidentified DOD source as saying the No Gun Ri investigation has confirmed that US Troops intentionally fired on refugees, resulting in the deaths of civilians. Has the investigation come to this conclusion?

A. We are conducting a comprehensive review of the facts, and it is premature to discuss our findings until the review is complete.

Q. Is the Army going to formally charge anyone?

A. At this point in the review process, it would be inappropriate to speculate about how information may be used after completion of our review and preparation of the report.

Q. If a witness is charged, will he be brought back on active duty for courts-martial? What will be the procedure to do that?

A. The objective of this review is to determine the full scope of the facts and to provide a report that reflects a full and comprehensive account of what occurred at No Gun Ri. It is inappropriate, at this point in the review process, to speculate about how the information may be used after completion of our review and preparation of the report. Any questions on the issues of prosecution, whether substantive or procedural, would be premature at this point.

Q. Will the Army or federal government pay for the cost of the witnesses' legal counsel?

A. To facilitate the review process, find all facts, and to ensure our Korean veterans fully understand their rights, military counsel may be made available to certain witnesses who request counsel, on a case-by-case basis.

DRAFT

TALKING POINTS AND Q'S AND A'S FOR NO GUN RI ANNOUNCEMENT

Talking Points:

- We went into this review committed to finding the facts of what happened at No Gun Ri, no matter where they took us.
- Our research methodology was predicated on an in-depth, scholarly approach to the task.
- The report is an accurate and objective portrayal of the facts based on 13 months of work.
- Conditions in and around No Gun Ri were chaotic; civilians *were* killed, but the facts do not support allegations of an indiscriminate or premeditated effort to kill civilians.
- The close bi-lateral cooperation on this important endeavor is indicative of the strong ROK-US relationship.
- Nothing can diminish the shared sacrifices of the Korean and American people.

Questions and Answers:

Q1. Did American soldiers knowingly kill civilians at No Gun Ri? If so, how did it happen?

A1. Civilians were killed and the loss of civilian life is always regrettable, but the facts of what happened at No Gun Ri do not support allegations of a premeditated effort to kill civilians.

Q2. Your report doesn't endorse the survivors' account. How much stock did the US put in the credibility of the survivors' testimony?

A2. The U.S. Review Team placed a great deal of credence on the Witness Testimony but only used a common view of the incident as seen through the witnesses' eyes. Obvious discrepancies and inconsistencies rendered some of the details as inconclusive, but we took this common view -- minus the problematic details -- at face value and as the truth. In effect, we believed that the witnesses were telling the truth and assumed that their common view was in fact the truth.

DRAFT

Q3. Did the Associated Press get this story wrong?

A3. It would be inappropriate for us to comment on the AP's work. The charter of this review was to find the facts of what happened at No Gun Ri, no matter where they might lead. We are confident that our report is an accurate and objective portrayal of the facts based on 13 months of work.

Q4. How many civilians were killed at No Gun Ri? What does "substantially less" than the survivors' estimate mean? Why can't you just accept the figures cited by the survivors and the Korean government?

A4. Based on the available evidence, the U.S. Team is unable to estimate the numbers killed or injured at No Gun Ri. However, the U.S. Team concluded that it is unlikely that hundreds of dead bodies were present in the vicinity of No Gun Ri during the last week of July 1950, based on testimony of U.S. veterans and the examination of the August 6, 1950 aerial photograph by Armed Forces Institute of Pathology (AFIP) and National Imagery and Mapping Agency (NIMA). The U.S. Team concluded that some Koreans were killed and injured in the vicinity of No Gun Ri in the last week of July 1950 but that the precise number may never be determined for many reasons. The reasons include Korean burial customs, farming practices, lack of reliable information, wartime disruptions of the countryside, and the passage of time.

Q5. Did US soldiers have orders to shoot civilians? If so, who gave the orders and under what conditions were they given? What was the review's determination on the standing order to "fire everyone trying to cross front lines?"

A5. No official record exists of any order given by any U.S. commander, orally or in writing, to kill Korean civilians. No U.S. veteran that the U.S. Review Team interviewed, and who was proven to be in the No Gun Ri area at the time, has stated that he received any order to fire on civilians. The U.S. leadership repeatedly warned the troops that North Korean soldiers would routinely wear civilian clothing over their uniforms to infiltrate the U.S. positions. The soldiers were also told that North Korean soldiers would hide within refugee columns. The U.S. soldiers fired at refugees in the No Gun Ri area, but this action was not indiscriminate in nature or a premeditated effort to kill Korean civilians. The U.S. Review Team concludes that U.S. commanders did not issue oral or written orders to shoot Korean civilians between July 25 and 29, 1950.

"Fire everyone trying to cross front lines" was taken out of context. For example, the 25th ID War Diary for 27 July 1950 records that MG Kean ordered commanders at all levels to take drastic action to prevent the movement of any Korean civilians into their areas within the combat zone. Persons in civilian clothes moving within the combat zone were to be considered as enemy. Also on the 27th, the Associated Press reported that: "All Korean civilians have been ordered out of the fighting zone southeast of Taejon. In an area once cleared of civilians, anyone in civilian clothing may be shot."

DRAFT

Q6. Would these actions have been considered a war crime in 1950?

A6. Tasked out.

Q7. Will the US charge anyone? If so, what will be the procedure to do that? Will the Army provide legal council?

A7. Tasked out.

Q8. Will the US apologize and pay compensation?

A8. Tasked out.

Q9. On what grounds would the US refuse to pay compensation?

A9. Tasked out.

Q10. We've heard that the US may erect a monument to the victims, is that true?

A10. Tasked out.

Q11. Thirty-three thousand Americans died to save South Korea. How do you think US veterans will react to a monument?

A11. Tasked out.

Q12. When did you brief President Clinton and what were his comments on the report?

A12. Tasked out.

 **Q13. Does the US believe that the truth of No Gun Ri has now been told? Is this report the final action on No Gun Ri?**

A13. We went into this review committed to finding the facts of what happened at No Gun Ri, no matter where they took us. Our research methodology was predicated on an in-depth, scholarly approach to the task. We feel that this report is an accurate and objective portrayal of the facts based on 13 months of detailed, probing work. No one is denying that civilians were injured or killed. Conditions in and around No Gun Ri were chaotic; and like all wars, civilians *were* killed, but the facts do not support allegations of an indiscriminate or premeditated effort to kill civilians.

Q14. What will the US do about allegations of other incidents?

A14. Other incidents were noted during the review. Decision addressing the disposition of those incidents will be made at a later date.

Q15. What was the review's methodology and why did it take 13 months to complete?

A15. Screening numerous databases, interviewing veterans, reading imagery and doing research is a time consuming process. For example, from an initial list of over 7,375 names, the Interview Team developed a contact list of 3,213 names. The Interview Team crosschecked all identified names on the contact list against official record sources to

DRAFT

authenticate the list. Next, the Interview Team conducted exhaustive research to locate all authenticated individuals and then interviewed these veterans. The Air Force researchers assisted in locating Fifth Air Force officer rosters and other records with the names of pilots and staff officers. An experienced Air Force interviewer contacted and interviewed as many of these veterans as possible. While every effort was made to make this a comprehensive sample, the U.S. Review Team had no power to compel testimony and no authority to issue subpoenas or to grant immunity.

The Research Team consisted of Department of the Army military and civilian members augmented by a United States Air Force research team, an imagery analyst, a Korean linguist, and trained research assistants from the U.S. Army Corps of Engineers. An Army historian led this effort. The researchers focused most of their effort at the National Archives and Records Administration II in College Park, Maryland. They also used the resources of the National Personnel Records Center, Federal Records Centers, the MacArthur Library, the Harry S. Truman Library, and the Military History Institute. Searching records over a wide range of units and levels of command (from regiment to the Joint Chiefs of Staff), the researchers examined over one million documents and approximately 45,000 containers of United States Air Force reconnaissance film.

Q16. What role did forensics play in your analysis of evidence? Did the forensics evidence support or contradict the survivors' account?

A16: As a result of consultations between the U.S. Team and the ROK Team, The Inspector General agreed that the ROK Team would be responsible for recovery of ballistics evidence and firearm examinations. (Hence, the U.S. did not have an on-the-ground review of the forensics process.)

The U.S. Team received a forensics test results report and a six-piece material sample from the ROK Team. The ROK's Defense Investigative Command (DIC) No Gun Ri Investigation Team conducted a forensic assessment of the No Gun Ri incident site and tested materials recovered at the site. The ROK Team reported the results of the DIC assessment and testing to the U.S. Team. Based upon interactions with the Korean counterparts, the U.S. Team believes the DIC Team retained all remaining items found at the site.

The U.S. Team asked for technical assistance from two agencies, the Federal Bureau of Investigation (FBI) Laboratory and U.S. Army Criminal Investigation Division (CID) Laboratory. Again, no firearms examiners were detailed to the U.S. Team. The U.S. Team relied upon the technological and forensic expertise of the CID and the FBI to review the DIC's conclusions and assessment. Specifically, the U.S. Team asked the laboratories to review the DIC Team's assessment of the site and the items recovered at the site, to review and comment on the methodology, and to assess the Korean conclusions. After the U.S. Team received the CID evaluation of the DIC Report, the U.S. Team requested additional information from the ROK Team. The U.S. Team provided copies of the DIC response on the methods that the DIC Team used to reach

DRAFT

four of their conclusions to CID and the FBI who provided additional comments. CID and the FBI concurred you could use the Korean methods to determine the difference between 7.62 millimeter (mm) Soviet and .30 caliber U.S. bullets, to determine that the extracted and unextracted bullets were identical, to determine that the marks were bullet marks and to determine the firing directions. However the methods used by the DIC Team are not the methods used by CID and the FBI. FBI examiner noted from a purely forensic science perspective, any conclusions drawn from an unprotected area where weapons were discharged fifty years ago should be viewed with extreme caution.

Q17. How has the Korean government reacted to your report? How does the US report differ from the Korean report?

A17. There is no Korean report.

Q18. Did the Korean government try to pressure the US into coming to a conclusion that was favorable to the survivors?

A18. No. Our charter has always been to go where the facts take us, no matter where they might lead. This effort has been marked by close cooperation with the Korean review team and we were never pressured into doing anything other than to find the facts of what happened at No Gun Ri.

Q19. The survivors believe the US coerced Edward Daily into changing his story. What is your response to this accusation?

A19. This is not true. From the very beginning, we pledged that we would go where the facts take us, no matter where they might lead. The review team conducted a two-day interview with Edward Daily in April 2000. At no time did members of the review team indicate to Daily that they were aware of discrepancies in his record or in any way attempt to change the information that Daily provided during this partial interview. Since that interview, Daily has refused to meet again with members of the review team.

Q20. When did the Army determine that Edward Daily was a fake, and why did it knowingly allow media to continue to use him as a credible source?

A20. We were aware that the official records did not conform to Mr. Daily's story of his service. We did not announce that there were discrepancies in Mr. Daily's statements about his service because he is entitled to the protection of the Privacy Act the same as any other service member or veteran. We also had to verify all of the facts from multiple sources to make sure we had not overlooked any possibility that part of his story was correct.

Q21. During the course of the review, did you uncover any other witnesses that were deemed not credible? If so, who are they and why was their information determined to be not credible?

A21. No.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. notes	handwritten, re meeting with "outside experts" on No Gun Ri (2 pages)	c 12/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. paper	Interagency Discussion on No Gun Ri (6 pages)	12/13/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Hans Binnendijk to @RUDMAN re No Gun Ri (1 page)	12/12/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Hans 12/12

Cable from
Seoul & Text |

NO EWN R1

Reunited

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. cable	re No Gun Ri, Building on the SMU (3 pages)	12/12/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

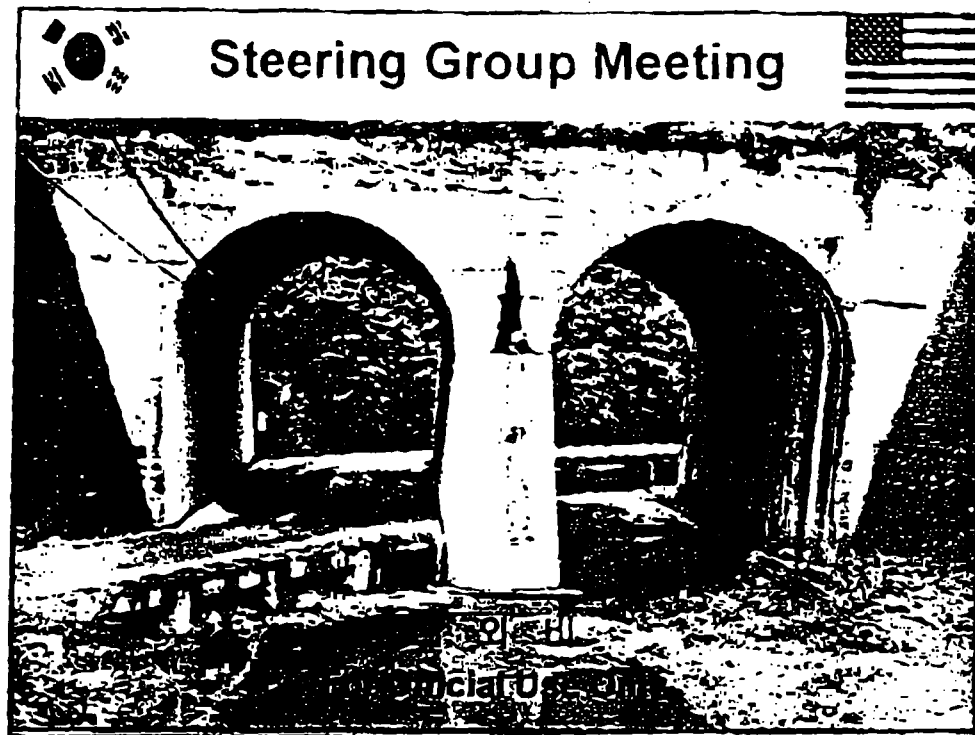
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Mr. Henry
202 456-9190





1. 조사경과

가. 노근리 사건은 1999년 9월 29일 AP 통신 보도 이후 한·미 양국 대통령의 지시에 의해 조사가 시작되었으며, 이러한 보도내용은 노근리 지역에서 발생한 한국 피난민에 대한 철로상의 공중공격과 쌍굴사격 등 한국 주민들이 과거에 소청을 제기했던 사건에 관하여 조사를 실시하도록 관심을 촉구하였다.

1. Review Process

a. The No Gun Ri Incident Review was initiated at the direction of the presidents of the Republic of Korea and the United States following the release of the Associated Press report concerning the matter on September 29, 1999. This story brought to the forefront the earlier efforts of Korean citizens to gain an inquiry into their claims surrounding certain events that occurred in the vicinity of No Gun Ri, including the firing upon Korean refugees at the double railroad overpass and an air strike on the railroad track.





나. 한·미 양국 조사반의 노력은 최상의 한·미 상호협력 수준을 보여주고 있다. 이러한 민감하면서도 중요한 조사과정 전반에 걸쳐 양측 조사반은 상호협력과 신뢰관계를 확립하였고 이를 공고하게 유지해 왔다. 한·미 조사반은 사건 주변상황과 관련사실을 조사하는 사명을 지속적으로 수행했으며, 양팀은 관련사실, 증언, 문서 등을 충분히 공유해 왔다.

b. The efforts of the Korean and US No Gun Ri Review Teams exemplify the highest levels of ROK-US bilateral cooperation. Throughout the duration of this important and sensitive endeavor, both Teams established and steadfastly sustained an environment of mutual cooperation and trust. The Korean and American Officials associated with this effort consistently demonstrated their commitment to examine the facts and circumstances surrounding the events. Both teams have candidly shared facts, statements and documents.



다. 50년의 세월이 경과함에 따라 모든 사실을 밝힐 수 있는 가능성이 줄어들었으며, 전상후유증, 연령, 대중매체 등 여러 가지 요소들은 한·미 증언자들의 기억에 영향을 미치고 있다.

c. The passage of 50 years reduces the possibility that all of the facts will ever be known and a large number of factors, including but not limited to trauma, age, and media influence the recollection of Korean and US witnesses.



라. 그럼에도 불구하고 이와같은 조사과정은 한·미 동맹관계를 향상시키고 대한민국의 자유를 위해 너무나 많은 것을 희생했던 수많은 양국 국민들의 명예를 고양시키는데 도움을 줄 것이다. 인간인 피해는 전쟁의 원치 않는 결과 중에서 가장 비극적인 것이다. 한국의 국민들과 양국의 군인들은 1950년 여름에 북한의 침략으로 야기된 어려운 시련을 겪어야만 했다. 사실 규명에 충실했던 이번 조사는 과거를 청산하고 미래에 대한 희망을 가져오게 될 것이다.

d. Nevertheless, this process will add to a strengthened ROK-US alliance and honor the many of both nations who sacrificed so much for the freedom of the Republic of Korea. Civilian casualties are, without exception, the most tragic of the unintended consequences of conflict. South Korean citizens and soldiers of both nations bore heavy burdens in the summer months of 1950 as a result of North Korean aggression. This review process, characterized by diligent fact-finding, will provide closure for the past and bring hope for the future.



2. 한·미 합동 조사내용

가. 사건 배경 및 전투상황

(1) 개전초 한국에 투입되었던 미군들은 나이가 어렸고, 훈련과 장비가 부족한 상태였으며, 전투경험이 없는 인원들로 편성되었다. 당시 노근리 주변지역에서 작전을 전개하고 있었던 부대들은 전투경험이 부족한 지휘자들의 지휘·통제하에 있었다. 그들은 북한군의 무기체계나 전술 그리고 북한군의 진격속도에 효과적으로 대응할 만한 사전 준비가 부족하였다.

2. ROK-US Mutual Understandings

a. Background of the Incident and Combat Situation.

(1) In the early period of the conflict, many of the US soldiers deployed to Korea were young, under-trained, under-equipped and new to combat. Units operating in the vicinity of No Gun Ri were under the command and control of leaders with limited proven experience in combat. They were unprepared for the weapons and tactics of the North Korea forces that they would face and the speed of the North Korean advance.



(2) 미군은 북한군이 피난민 대열의 민간인 그룹으로 가장하여 미군전선을 통과한 후에 미군진지 후방에서 공격하는 북한군들의 침투 가능성에 대하여 두려워하였다.

(2) US soldiers were legitimately fearful of the possible infiltration of North Korean soldiers who routinely entered American lines in groups disguised as civilians in refugee columns and then attacked American positions from the rear.



(3) 영동에서 미군이 철수하고 북한군이 진입한 후, 미 제 1 기병사단은 낙동강전선으로 후퇴하는 동안 영동 동쪽지역에서 북한군의 간헐적인 정찰임무와 간접사격 등으로 북한군과 지속적인 접촉을 유지해왔다.

(3) Following the withdrawal of US forces, and entry of the North Korean army into Yongdong, the North Koreans continued to maintain contact with the US ground forces east of Yongdong by means of intermittent patrols and indirect fire as the 1st Cavalry Division continued its rearward movement to Naktong River.



(4) 1950년 7월 마지막 주에 영동 동쪽 4번 국도 상에 북한군의 전차가 출현하고 있었다. 미군들은 그들이 보유한 일부 대전차 무기가 북한군의 전차에 아무런 효과가 없다고 우려하고 있었다.

(4) North Korean tanks were on what is now Highway 4 east of Yongdong during the last week of July 1950. US soldiers believed that some of the US anti-tank weaponry available to them was ineffective against the North Korean armor.



(5) 미 제 7기병연대 2대대는 영동에 도착한 직후, 1950년 7월 25/26일 야간에 와해된 상태에서 노근리 주변지역으로 무질서한 후퇴를 하였다. 이러한 후퇴는 적 출현으로 인하여 적군의 돌파가 임박했다는 잘못된 판단, 적 전차의 출현 가능성, 그리고 북한군의 침투전술이 있을 것이라는 인식 등 여러 가지 요소 때문에 발생하였다. 무질서하고 혼란한 상태에 있던 부대들은 26일 낮 동안 노근리 부근에서 재집결하였고, 7월 27일 오전까지 노근리 부근에서 부대통합 및 재집결을 완료하여 위치를 보고 하였다.

(5) The 2nd Battalion, 7th Cavalry Regiment, shortly after arriving in the Yongdong area, conducted a disorganized and undisciplined retreat toward the vicinity of No Gun Ri during the night of July 25/26 1950. The retreat occurred as a result of several factors including : a mistaken belief of an imminent enemy breakthrough due to the emergence of the enemy, the possibility of encountering North Korean tanks, and the awareness of North Korean infiltration tactics. The organization, disoriented and in disarray, reorganized in the vicinity of No Gun Ri throughout the day on the 26th. The unit completed its consolidation and reorganization in the vicinity of No Gun Ri by the early morning of the 27th of July, when it reported its position.



나. 피난민 통제

(1) 개전초, 한국 정부의 피난민 통제정책은 미흡하였고, 그로 인해 피난민 이동을 통제하는데 많은 혼란과 어려움을 초래하였다.

b. Refugee Control

(1) At the outset of the war, the lack of ROK government refugee control measures resulted in significant confusion and difficulties in controlling refugee movement.



(2) 1950년 7월 20일 대전전투 이후 피난민 이동 통제 문제는 한국군과 미군의 주요 작전 고려요소가 되었다. 1950년 7월 하순경에 한국정부와 미8군은 긴밀한 협조를 통해 피난민과 한국군 및 미군을 보호하고, 도로로 이동하는 피난민들이 군 작전에 미치는 영향을 최소화하기 위해서 피난민 통제지침을 하달하기 시작하였다.

(2) By July 20, 1950, after the Taejon Battle, refugee control was a major concern of the US and ROK forces. In late July 1950, the ROK government and Eighth US Army, in close coordination, began to disseminate refugee control policies to protect the US and South Korean forces as well as refugees and reduce the impact of road-bound refugees on military operations.



다. 임계리·주곡리 주민들의 집결 및 이동

(1) 예외의 경우가 있긴 하지만, 한국 민간인들은 피난민의 이동을 제한하는 한·미 피난민 통제정책이 1950년 7월 하순경에 수립되었다. 일부 미 참전장병은 미군이 어떤 지점에서는 민간인들을 위험한 지역이나 미 지상군 진지로부터 벗어나게 한다는 이유로 인해 이들을 마을에서부터 호송하였다고 증언하였다.

c. Assembly and Movement of Villagers at Im Ke Ri and Joo Gok Ri

(1) With certain exceptions, US and ROK policy restricting movement of refugees was established in late July 1950. However, some US veterans testified that, at some point, they escorted Koreans from their villages, in an effort to get them out of harm's way or to clear them away from US ground positions.



(2) 일부 한측 증언자들은 1950년 7월 25일 야간에 미군이 산속의 안전한 마을 임계리에 있던 수 미상의 피난민들을 주곡리를 경유하여 4번 도로를 따라 노근리방향으로 인솔하였다고 주장하고 있다. 미 참전장병들은 마을에서 주민들을 호송했던 것은 기억하지만 지명과 날짜에 대해서는 기억하지 못하고 있다.

(2) Some Korean witnesses asserted in their testimony that US soldiers escorted an unspecified number of refugees from Im Ke Ri, a safe village in the mountains on or about the night of 25 July, toward the No Gun Ri area, via Joo Gok Ri along what is now Highway 4. US veterans do remember escorting refugees from villages, but they cannot recall the names of places or dates.



(3) 일부 한측 증언자들은 7월 25일 주곡리로부터 1.5 Km 떨어진 하가리 근처 개활지에서 미군의 명령에 의해 노숙할 때 피난민이 사실 당하는 것을 목격했다고 증언하였다. 다양한 한측증언자들은 당시 피난민 대열에서 낙오되거나, 집단을 이탈 또는 대열로 부터 뒤로쳐졌던 1~4명 정도가 사살되었다고 증언하고 있다. 그러나 이에 연루된 미군이나 이 행위가 당시 시행되고 있던 피난민 통제대책을 위반한 것에 대한 대응조치였는지는 확인할 수 없었다.

(3) Some Korean witnesses stated that they saw refugees killed on July 25th when refugees were directed by US forces to stay in an open area near Ha Ga Ri, 1.5km from the village of Joo Gok Ri. Various Korean witnesses state that one to four persons were shot when they either strayed from the group, tried to leave the group or did not move fast enough. The review could not confirm what soldiers were involved, nor whether this action was a reaction to a violation of refugee control measures in effect at the time.



(4) 일부 한측 피해자 및 미 참전장병들의 증언에 따르면, 한국 피난민과 미군은 모두 동쪽으로 후퇴하는 과정에서 서로 접촉하게 되었다. 영동에서 황간으로 이동하는 동안 피난민들은 도로에서 철로쪽으로 이동하였다. 일부 미 참전장병과 한측 증언자들은 미군이 피난민들을 철로쪽으로 인솔하여 게릴라 침투 여부와 무기 및 기타 금지품목 소지 여부를 확인하기 위해 검색을 하였다고 기억하고 있다. 그러나 다른 미 참전장병과 한측 증언자들은 검색이 실시된 사실을 기억하지 못하고 있다.

(4) Some US and Korean witness statements say that Korean refugees came in contact with US forces in the vicinity of No Gun Ri as they both moved east. As they moved from Yongdong toward Hwanggan, the refugees passed from the road to the railroad tracks. Some US veterans and Korean witnesses recalled that US forces directed refugees to the railroad tracks, conducted searches for infiltrators, weapons and other contraband. Other veterans and Korean witnesses had no recollection of searches being conducted.



라. 공중 공격

(1) 다수의 한측 증언자들은 1950년 7월 26일 정오경 미군의 항공기가 피난민들에게 기총소사 또는 폭격을 하였다고 증언하고 있다. 1950년 7월말에 공중공격을 목격한 일부 미측증언자들은 노근리지역에 배치된 시기에 미군 항공기가 공중공격을 한 것을 목격하였다고 증언하고 있지만, 그 공격이 언제였는지 그리고 무엇을 공격했는지는 기억을 못하고 있다. 일부 미 참전자들은 1950년 7월중 피난민들과 함께있는 전차에 항공기가 공중공격을 하는것을 목격했다. 미 참전자 한명은 날짜는 기억하지 못하지만 피난민들이 비포장도로와 철길에서 공중공격을 받는 것을 목격하였다고 증언하였다.

d. Air Strikes

(1) According to their statements in the testimony, many Korean witnesses indicate that they were strafed or bombed by US airplanes around noon on July 26, 1950. Some U.S. veterans stated that they saw U.S. planes strafing targets in late July 1950 and some of these veterans saw them when deployed in the No Gun Ri area, but they could not recall when or identify what the targets were. Some veterans saw planes strafe tanks with refugees on or near them in July 1950. One veteran stated that on an unknown date he saw refugees on a dirt road and an old railroad being strafed.



(가) 조사기간 중 검토한 공식적인 미 공군 기록이나 미 조종사들의 증언을 통해서 7월 26일 노근리 주변지역에 출격하여 임무를 수행한 결과를 확인할 수 없었다. 미 제5공군 항공작전 일일요약보고서에 따르면 영동지역의 임무가 그 날 있었던 것으로 기록되어 있지만, 이에 3개의 임무에 대한 임무결과보고서는 찾을 수가 없다.

(a) Official US Air Force records and pilot interviews found during research do not reflect any mission flown on the 26th July in the vicinity of No Gun Ri. The 5th Air Force Summary of Air Operations indicated that some missions were flown over the Yongdong area on that day, but mission reports for three of these missions could not be found.



(나) 추가적으로, 1950년 8월 6일자 항공사진을 분석한 결과, 기총소사가 언제 발생했는지 정확한 날짜를 확정할 수는 없으나, 한측 피해자들이 증언하고 있는 지역에서 철로상의 기총소사 흔적을 발견할 수 있다.

(b) Additionally, analysis of the August 6, 1950 reconnaissance photograph shows an area of probable strafing on the railroad tracks in the area indicated by the Korean witnesses. There is no way of determining the exact date of the probable strafing.



(다) 1950년 7월 27일 아침 일찍 노근리 주변의 미 제7기병연대 제1대대 지역에서 실제로 공중공격이 발생하였다.

(라) 따라서, 이 조사는 노근리 주변지역에서 1950년 7월 26일 항공공격 발생 가능성을 배제할 수 없다.

(c) Early in the morning on July 27, 1950, an air strike did, in fact, take place in the 1st Battalion, 7th Cavalry Regiment area in the vicinity of No Gun Ri.

(d) The Review could, therefore, not exclude the possibility of an air strike occurring on July 26th in the vicinity of No Gun Ri.



(2) 미 공군 기록에 따르면, 당시 미 공군 제트항공기는 폭탄을 장착하지 않았으나 프로펠러 항공기는 폭탄을 장착하였다. 일부 한족 증언자들은 항공기가 피난민들을 직접 공격하였다고 증언하는 반면, 다른 증언자들은 단지 폭발음과 기관총 사격 및 파편과 화염, 열기를 포함한 포탄의 효과만을 기억한다고 증언하고 있다. 공식 기록에 의하면 1950년 7월 27일부터 29일까지 노근리지역에서 미군과 북한군 상호간에 야포 및 박격포사격이 있었다. 8명의 미 참전자들은 야포, 박격포 또는 전차포 사격이 노근리 부근에서 있었다고 기억하고 있다.

(2) Air Force records show that US Air Force jet aircraft flying at the time did not carry bombs whereas propeller-driven aircraft did. While some Korean witnesses stated that the aircraft directly attacked refugees, others have stated that they only recall explosions and machine gun fire and other munitions effects, including shrapnel, flames and heat. Official records indicate that US and North Korean Army forces did exchange artillery and mortar fire in the vicinity of No Gun Ri between July 27 and July 29 1950. Eight U.S. veterans remember either artillery, mortar or tank fire in the vicinity of No Gun Ri.



(3) 일부 한족 증언자들은 미 지상군이 당시 보유하고 있던 무전기를 사용하여 피난민에 대한 공중공격을 요청하였다고 증언하고 있다. 양국 조사단은 1950년 7월 26일 당시 통상의 미 보병병사들은 휴대용 무전기만 보유함으로써 미 공군 전술항공 통제관과 직접 교신하여 공중공격을 요청하는 것은 불가능했다는 사실에 동의하였다. 육군이 공중공격을 요청할 수 있었지만 이러한 요청은 일정한 경로를 통해 합동작전통제소로 전달되어야만 했다. 이러한 요청은 처리시간 상 즉각적인 대응이 불가능했었다.

(3) Some Korean witnesses stated that US soldiers called in air strikes on the refugees by use of a radio available to US ground forces at the time. Both Review Teams agree that, on July 26, 1950, the ordinary US ground soldier was equipped only with a portable radio and was incapable of talking directly to an Airborne Tactical Air Controller and requesting an air strike. Army units could submit a request for an air strike but had to pass it through channels to the Joint Operations Center. The processing time for such a request could not have resulted in a prompt response.



(4) 1950년 7월 25일자 5공군 전방 지휘소 Turner C. Rogers 대령의 메모에는 다음과 같은 내용이 기록되어 있었다. "북한군에 의해 조직되거나 북한군에 의해 통제되고 있는 많은 민간인들이 우리의 진지로 침투한다는 내용이 보고되었음. 육군은 미군 진지로 접근하고 있는 모든 민간 피난민들을 항공기로 기총소사 할 것을 요청하였음. 현재까지 공군은 육군의 이러한 요청에 응해왔음."

그러나 이 공군 조종사 출신의 증언자들은 그러한 지침을 기억하지 못하고 있다.

(4) In a memo dated 25 July 1950, Colonel Turner C. Rogers of 5th Air Force Headquarter stated that: "It is reported that large groups of civilians, either composed of or controlled by North Korean soldiers, are infiltrating U.S. positions. The Army has requested that we strafe all civilian refugee parties that are noted approaching our positions. To date, we have compiled with the Army request in this respect."

None of the pilots interviewed, however, remembers such a policy.



아. 지상사격 및 사격명령 여부

(1) 미 지상군은 이 기간 동안 노근리 주변에서 피난민을 향해 사격을 하였다.

e. Ground Fire and Issuance of Orders

(1) US ground forces fired toward refugees in the vicinity of No Gun Ri during this period.



(가) 1950년 7월 26일과 29일 사이의 어떤 시기에 일부 미군은 쌍굴내부를 포함하여 여러지역에 있는 피난민을 향해 사격을 하였다. 미군들은 피난민의 이동을 통제하기 위해 또는 피난민이 있던 곳으로부터 소화기 공격을 받았다고 생각하였기 때문에 사격을 했다. 그 결과 수미상의 피난민이 죽거나 부상을 입게 되었다.

(a) At some time between July 26th and 29th, 1950, some US soldiers fired toward the refugees who were at various locations including inside the double overpass. They did so either to control the refugees' movements or because they believed that they had received small arms fire from those locations. As a result, an unknown number of refugees were killed or injured.



(나) 2000년 7월 한측 현장기술조사반은 쌍굴 및 수로벽체에서 다수의 미제 탄자 및 탄흔을 발견하였고, 아울러 쌍굴주변에서 미제 및 소련제 탄피, 탄자, 파편등 유기물을 발견하였다.

(b) In July 2000, a ROK forensic team found various U.S. bullets and the bullet marks on the walls of the double railroad overpass tunnel and the culvert. Moreover, the team found both U.S. and Soviet bullets, empty cartridges, and other fragments in the vicinity of the double overpass.



(다) 일부 한측증언자들은 피난민이 임계리·주곡리 마을 주민 위주로 구성되었으며, 일부 사람들이 임계리 외부지역으로부터 이 마을로 왔다고 증언하고 있다. 일부 한측증언자들은 당시 도로를 따라 노근리로 이동하던 대열의 대부분의 사람들을 알고 있었다

(c) Some Korean witnesses state that most refugees were from Im Ke Ri and Joo Gok Ri and some other people came from outside Im Ke Ri to the village. Some Korean witnesses state that they knew most of them in the group that went down the road to No Gun Ri.



(라) 일부 한측증언자들은 미군들이 치료를 해주거나 병원으로 후송해 주었다고 증언했다. 한측조사단은 17명이 치료를 받은 것으로 확인했다. 미 참전자 한명은 그가 한 아이를 등에 업고 쌍굴로 들어갔을 때 민간인 복장을 한 사람들이 치료를 받고 있는 것을 목격했다고 증언했다.

(d) Some Korean witnesses stated that U.S. soldiers either gave them first aid or evacuated them to a hospital. The ROK Review Team indicates that 17 people received medical aid. One U.S. veteran saw medical aid being given to individuals in civilian clothing under the double railroad overpass when he carried a child back down under the bridge.



(2) 피난민을 사격한 참전장병중 미 육군에 의해 증언한 모든 참전자들은 사격명령을 받지 않았다고 언급하였지만, 일부 증언자들은 명령이 반드시 하달되었을 것이라고 믿는다고 증언하였다. 전반적인 자료조사 및 증언 정취 결과는 명령하달여부 증거를 확인할 수 없으나, 피난민에게 사격을 하지 않은 일부 다른 참전장병들은 피난민들에게 소화기, 기관총, 박격포 및 야포 사격이 가해지는 것을 목격하였기 때문에 피난민들에 대한 사격명령이 반드시 있었을 것이라고 추정하고 있다.

(2) All the veterans interviewed by the U.S. Army who fired at refugees stated that they did not receive any order to fire. Some other veterans, however, stated that they believed that such an order must have been given. While a comprehensive search of records and these veterans' interviews did not disclose any evidence of the issuance of such an order, some other veterans, who themselves did not fire at refugees, assumed that there must have been an order to fire on refugees because they observed small arms, machine guns, mortar and artillery fire at refugees.



(3) 1950년 7월 24일 미 제8기병연대의 전문일지에는 피난민의 전선통과를 저지하기 위한 사격 지침에 대한 연대 연락장교의 전문이 포함되어 있다. 다른 연대에 하달된 사격지침은 발견할 수 없었으며, 사격명령에 관한 증언의 불일치로 인하여 사격명령하달여부는 확인할 수 없었다.

(3) The message log of the 8th Cavalry Regiment contains an entry of message from an regimental liaison officer on 24 July 1950 about guidelines on shooting refugees to prevent them passing through US front lines. But, whether an order to fire was made could not be determined because records of other regiments do not show such guidelines and thus discrepancy among interview accounts exists.



(1) 50년이라는 시간의 경과와 전쟁의 결과로 인해 한국 증언자들과 미 참전장병들이 진술하는 노근리주변지역에서 발생한 사건으로 인해 죽거나, 부상 또는 실종된 인원온 상당한 차이가 있다. 한국사람들은 확인되지는 않았지만 사망, 부상 또는 실종된 인원을 248명이라고 영동군청에 신고한 반면 미측증언자들은 이 보다는 적은 인원수를 진술하고 있다.

(1) Because of the passage of 50 years and the effects of the conflict, the statements of Korean witnesses and U.S. veterans about the number of refugees killed, injured or missing as the result of the events in the vicinity of No Gun Ri vary widely. The Koreans have reported to the Office of Yong Dong County an unverified number of 248 Korean civilians killed, injured or missing while the testimony of U.S. veterans supports lower numbers.

Plus problem



3. 조사 결론 한-미 조사단은 피해자들의 오랜기간의 아픔을 기억하면서 다음과 같은 사항을 상호 이해하였다:

결박한 한국전쟁 초기의 수세적인 전투상황하에서 강압에 의해 결수중이던 미군은 1950년 7월 마지막주 노근리 주변에서 수 이상의 피난민을 살상하거나 부상당 입었다. 이 조사에 대한 양국의 성실하고 양심적인 상호간의 노력은 긴요하며 장기간 지속되고 있는 한-미 동맹관계유지에 크게 공헌하고 있다. 한-미 양측 조사단은 피해자의 오랜 기간의 아픔과 미 참전장병의 희생을 추모해 고려했으며 획득 가능한 사실 관련자료 및 증언을 바탕으로 60년 전의 전쟁기간 중 발생한 전상을 사실대로 규명함으로써, 앞으로 한-미 동맹정신을 바탕으로 보다 공고한 공조체제 유지는 물론 인권을 중시하는 민주주의 가치 실현에 기여하는 양국 공동 협조의 본보기가 될 것으로 믿는다

3. Conclusion of the Review Bearing in mind the enduring suffering of the victims, the Korean and American Review Teams mutually understand that :

In the desperate opening weeks of defensive combat in the Korean War, U.S. soldiers killed or injured an unconfirmed number of Korean refugees in the last week of July 1950 during a withdrawal under pressure in the vicinity of No Gun Ri. The diligent and conscientious bilateral efforts of both countries in this review represent a significant contribution to the maintenance of the vital and long-standing ROK-US alliance. Bearing in mind the long-lasting sorrow of victims as well as the sacrifice of US soldiers during the Korean war, the ROK and US teams firmly believe that this investigation on an incident that occurred during the Korean war will not only help maintain a more stable ROK-US alliance but also is an example of two nations working together to realize the value of democracy and recognize the importance of human rights.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. notes	handwritten, re No Gun Ri Q&As (2 pages)	c 12/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. paper	Interagency Discussion on No Gun Ri [duplicate of 003] [page 6 only] (1 page)	12/13/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

NOGUN-RI
Interagency Working Group
December 13, 2000

Agenda

- Summary/status of Statement of Mutual Understanding
- Issues relating to final package:
 - Nature of Presidential Statement
 - Compensation
 - Memorial (to whom, who pays)
 - Scholarship (progress with Korea Society, USG role)
 - Achieving finality
 - Legal considerations
- Issues relating to Rollout:
 - Date (before New Year?)
 - Public affairs strategy
 - Congressional strategy
 - Veteran's strategy
 - Press strategy/ AP response
 - Use of US advisors to OSD
- Game plan for meeting with ROK outside experts later this week
- Coordinating with ROK
 - LTG Kim's visit on Dec 20
 - Coordinating with Embassy
 - Status of ROK investigation/report

5,000 miles, took place in the spring and was never announced by the Chinese government.

The first flight test took place in August 1999, he said.

The Nov. 4 test was first reported in yesterday's editions of The Washington Times and defense analysts said its timing was intended as a political signal from Beijing.

Mr. Bacon said the single-warhead DF-31 has an estimated range of about 5,000 miles, but the test flight was limited to areas inside China and was shorter than its maximum range.

"This is a program that's been ongoing, the DF-31 program, since the late 1980s, and the test was pretty much as expected in terms of timing and in terms of results," he said.

As for the timing during Gen Shelton's visit, Mr. Bacon said he did not believe there was a connection. He said the timing may have had more to do with a typhoon in the region that would make it more difficult for the United States to monitor the test, than with the four-star general's visit.

Gen. Shelton visited China Nov. 3-5 and watched military exercises near the southern city of Nanjing.

Despite the succession of missile tests, Mr. Bacon sought to downplay the threat from the DF-31. "I don't think it's fair to say that this building or this government is worried about what they see in China, but clearly we watch any country that is developing its military, modernizing its military.

"China has been working on modernizing its long-range missile program, which is very modest compared to ours, very modest compared to the Russians, very modest compared to the French and the British. But they've been working to modernize this program for some time."

Asked about China's military buildup, which includes development of two different ground-based mobile missiles and a new class of ballistic missile submarines, the spokesman said China has "focused more resources on military modernization" in the last several years.

However, he noted that China is "still increasing its

education budget faster than it's increasing its military budget, to the best of our ability to monitor that."

Philadelphia Inquirer
December 13, 2000

15. U.S. Studies North Korea Missile Talks

Officials think a deal is at hand to curb the sale of ballistic technology. Asia experts are skeptical.

By Carol Giacomo, Reuters

WASHINGTON - The Clinton administration believes it is on the verge of a deal to curb North Korea's missile program and is likely to undertake talks that could lead to a visit to Pyongyang by President Clinton, U.S. officials said yesterday.

Clinton has been considering a trip to the North Korean capital before he leaves office Jan. 20 despite concerns voiced by some Asia experts.

No decision has been made on Clinton's trip or on sending State Department counselor Wendy Sherman, chief coordinator of U.S. policy toward North Korea, for a new round of talks, officials said. But such talks were likely, they said.

They said an agreement curbing North Korea's missile program was closer than generally believed and they feared it could slip away if left for the next president. "We think we've got the makings of a deal," one official said, although he cautioned that snags could still develop.

Many nongovernmental Asia experts fear that too many crucial details have not been pinned down.

Administration planning has been complicated by the presidential election. U.S. officials said they would like to consult with the next president and his team because the proposed accord is controversial and would depend on the next administration carrying it out.

"Although there is reason to believe a serious agreement could be reached with North Korea, it has to be fully implemented in the next administration," an official said.

North Korea, a Stalinist regime, is a major seller of missile technology and a key reason why the United States is considering building a multibillion dollar missile defense system. In recent meetings with Secretary of State Madeleine K. Albright and other U.S. officials, North Korea has indicated a willingness to end exports of ballistic missiles. It has also said it would be willing to give up development, production and testing of longer-range missiles, officials said.

A key issue is what North Korea gains in return for lost missile exports. Washington rejected a bid by Pyongyang for cash payments of over \$1 billion, and a senior official said any talk now of cash compensation is "not correct."

Another element being discussed is a U.S. commitment to have North Korean civilian satellites launched free of charge each year by the United States, Russia or China.

Washington Post
December 13, 2000
Pg. 38

16. Britain, N. Korea Open Diplomatic Ties

LONDON--Britain and North Korea formally agreed yesterday to establish diplomatic relations, in what Britain called recognition of the Communist nation's warming relationship with South Korea and its decision to suspend missile launches.

In a sign of its improving ties with the outside world, North Korea has this year established diplomatic links with Canada, Italy and Australia. Britain said in October that it was ready to follow suit, and yesterday's announcement came after five days of talks in London between government officials.

The two countries have had no relations since the Democratic People's Republic of Korea was created in 1948, following the division of the Korean peninsula after World War II. In a joint statement, the two governments said they would appoint ambassadors after arranging for permanent

mission offices in London and Pyongyang.

British Foreign Secretary Robin Cook said the decision "was taken in recognition of the significant progress" in the dialogue between the two Koreas, particularly a June summit between their leaders, Kim Jong Il of the North and Kim Dae Jung of the South.

Associated Press

Washington Post
December 13, 2000
Pg. 36

17. S. Koreans Dispute U.S. Findings On No Gun Ri

By Doug Struck, Washington Post Foreign Service

SEOUL, Dec. 12 - South Korea is balking at the Pentagon's preliminary finding that American soldiers fired in panic - not under orders - at Korean civilians in the village of No Gun Ri at the start of the Korean War.

Survivors of the incident met with government officials today to discuss their plans for opposing the finding, and a Korean civilian advisory group was planning to fly to the United States Wednesday to try to change the conclusions before the Americans' final report.

The Koreans are pushing for an American acknowledgment that there were orders to shoot the civilians, as some American veterans recall, and they want an apology and compensation for injured survivors and victims' relatives.

The dispute threatens to result in exactly the problem South Korea had wanted to avoid: a U.S. conclusion that propels this 50-year-old incident into a new rift between Seoul and Washington. South Korea had proposed a joint investigation, but the United States rejected that.

"There's only one truth, but through these separate investigations, they're making two 'truths,'" said Chung Koo Do, a spokesman for the survivors of the shootings at No Gun Ri, who say that as many as 300 or 400 persons were killed by American fire July 26-28, 1950.

The Washington Post reported last week that the Pentagon's draft report concluded that panicked soldiers, in the chaotic first days of the war, had fired at Korean civilians hiding under a railroad trestle, fearing that North Korean infiltrators were among them.

But the report reached no finding about the number of civilians killed and said there was no evidence of orders to fire on civilians, despite the accounts of some veterans who said they acted under orders.

Indeed, when asked about the Korean reaction, a Pentagon official said even more emphatically than has been said in the past that the Pentagon has not found conclusive evidence of orders to shoot civilians. "We can't trace the order down the chain of command to people with rifles in their hands," he said. "We can't find one soldier who said, 'Yeah, I received an order to fire.'"

But when American officials came to Seoul last week to get South Korean officials to sign on to a joint "statement of mutual understanding" before the final report, the government here refused.

A five-person advisory group to the Korean government was to go to Washington Wednesday. They hope to meet with Pentagon and State Department officials this week to lobby for stronger findings in the final report, which is supposed to be finished within six weeks.

And the Korean National Assembly is urging both countries to take the issue out of the hands of the military, and come to an acceptable compromise.

"It's time for the top levels of the two governments to make some political decisions," said Min Kee, the chief aide to Kim Min Seok of the assembly's National Policy Committee. "We don't need to get everything we want. There are some things the United States doesn't want to say, and we understand. So, politically, for example, if President Clinton would promise the victims compensation, they would accept that as enough."

Defense Secretary William S. Cohen ordered the investigation after the Associated Press reported the killings in a

September 1999 article that won a Pulitzer Prize.

According to South Korean reports, the United States has balked at labeling the killings a "massacre."

"It's obviously, and very clearly, a massacre," said Chung, the survivors' spokesman. "If the United States starts to deny that, then the trust and faith that other countries have in the U.S. will be broken."

"The United States has admitted a small part of the truth" in acknowledging that American soldiers killed civilians, which it had long denied. "But they have refused to admit the very core of the truth," Chung said.

"The United States likes to talk about and dictate to other countries on human rights. They probably think if they admit this, their pride and prestige can be hurt."

Chung said the survivors' group may invite third countries or international bodies to investigate the No Gun Ri claims if the Pentagon does not change its findings.

Although the South Korean government said it conducted a separate investigation of the claims, it has not issued any findings. The government asserts that the crucial testimony, from American veterans, is in the United States and the key military documents are in American archives.

Chung said that despite the South Korean government's show of support for the survivors' position, "I have the impression the government wants to wrap this up as soon as possible."

He said both governments are trying to avoid investigating 61 other complaints that have been filed alleging killings of civilians by U.S. troops. "If they investigate those other incidents, the fact that there were orders from above will be revealed," Chung contended.

"Our principle is that we will deal with No Gun Ri first, and after that is solved, we will review if we should treat the other cases," said Oh Young Ho, director general for national security and foreign affairs in the prime minister's office.

South Korean officials have acknowledged privately what historians — and many civilians who lived through the brutal war — have long asserted: There were many cases of questionable killings by all sides in the war. And South Korea is not eager to begin examining the actions of its troops.

Staff writer Thomas E. Ricks contributed to this report from Washington.

New York Times
December 13, 2000

18. Denying All, Milosevic Opens Campaign For Political Comeback

By Carlotta Gall

PRISTINA, Kosovo, Dec. 12 — Slobodan Milosevic, in his first television interview since he was forced to give up the presidency of Yugoslavia two months ago, denies accusations of misrule and of falsifying election results.

"I can sleep peacefully and my conscience is completely clear," he told the interviewer, a well-known supporter of Mr. Milosevic and the owner of Palma Television, which broadcast the interview today.

Mr. Milosevic is trying to make a political comeback, and the interview marked the start of the campaign for his Socialist Party in the Serbian Parliament elections on Dec. 23. Mr. Milosevic was re-elected as the leader of the Socialist Party of Serbia last month. He is not running for a seat, but because he is party leader his name heads the ticket.

Serbia is the larger of the two republics that make up the current Yugoslavia.

The 18-party alliance behind the Yugoslav president, Vojislav Kostunica, who defeated Mr. Milosevic in the recent presidential election, is expected to win a clear majority in the Serbian Parliament. But the Socialist Party is expected to hold onto 10 to 15 percent of the vote, to be the largest opposition party.

The Socialist Party offers Mr. Milosevic a way to save his political career, which had

seemed all but finished two months ago. At first he refused to acknowledge that he had lost the Sept. 24 presidential election and was preparing for a second round of voting against Mr. Kostunica. But after the popular uprising of Oct. 5, he conceded defeat and resigned.

Mr. Milosevic is under indictment by the United Nations war crimes tribunal at The Hague for the atrocities Yugoslav forces committed against Kosovo Albanians last year. Although Mr. Kostunica has said that handing over Mr. Milosevic is not a priority of the new Yugoslav government, Mr. Kostunica has pledged to cooperate with the tribunal. Opponents of Mr. Milosevic in Serbia have also filed complaints against him, although no court has yet indicted him.

A Belgrade prosecutor filed charges today against four members of the electoral commission, contending that they had abused their power in connection with the presidential election, but the prosecutor said he did not have the evidence to bring charges against Mr. Milosevic himself, the Tanjug news agency reported.

In the two-hour television interview, Mr. Milosevic, looking dapper in a dark suit and red tie, seemed on the defensive though he was in a reasonably supportive setting. He defended 13 years as the effective leader of Yugoslavia, during which the nation split apart and the country was dragged through three wars.

"I see it as a ceaseless battle — I can even say freely a lion's struggle for the protection of state and national interests of our country," he said. And he predicted that the rising prices and economic difficulties the Serbian people face would swing voters back to support his party. He described the popular revolt against him as a "coup" and The Hague tribunal as an "illegal" institution.

He dismissed accusations that he and his entourage stole or embezzled billions of dollars as "nonsense."

He also praised the notorious paramilitary leader and indicted war criminal known as Arkan.

The paramilitary leader was assassinated last January

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	Mara Rudman to Justin Siberell et al, re No Gun Ri Update/Decision (3 pages)	12/04/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

UNCLASSIFIED - FOUO

[DIA Home](#) | [What's New](#) | [Products by Type](#) | [Products by Region](#) | [Feedback](#) | [Help](#)

Fort Worth Star-Telegram
December 2, 2000

U.S., Koreans Differ Over Refugee Killings In Korean War

By Sang-Hun Choe, Associated Press

SEOUL, South Korea -- U.S. and South Korean officials disagree about whether American troops were ordered to open fire on refugees at the hamlet of No Gun Ri in the early days of the Korean War, according to an adviser to the Korean inquiry.

Yi Manh-yol, a member of a blue-ribbon panel monitoring the military investigation, said a rift exists over a number of issues, including whether there were shoot-to-kill orders and the number killed. The split was affirmed by five other sources close to the Korean inquiry.

"The Pentagon is trying to deny that American troops attacked the refugees under orders from commanders," Yi told The Associated Press in an interview Thursday. "This is an argument we can never accept," the history professor said.

Yi and a second source close to the Korean investigation told AP the two sides also are at odds over survivors' demands for a U.S. apology and compensation claims of more than \$170 million by survivors and victims' families.

The dispute could threaten a plan to release a joint statement later this month about the bloodletting in July 1950.

Maj. Tom Collins, a Pentagon spokesman, said the U.S. and South Korean investigative teams are working on a Statement of Mutual Understanding detailing points of agreement.

Asked about the rift referred to by Yi, Collins said he could not comment on "press reports."

Korean officials have warned that a failure to satisfy Korean public opinion could damage U.S.-South Korean ties and trigger anti-American sentiment in the country where 37,000 U.S. troops remain on duty.

The two sides launched investigations after AP, citing dozens of U.S. veterans and South Korean survivors, reported last fall that a large number of refugees were strafed or shot at a railroad trestle.

The Korean government lists 175 people allegedly killed at No Gun Ri. Survivors estimate 400 civilians perished, including about 100 killed by strafing U.S. warplanes. Former U.S. soldiers variously estimate 100, 200 or hundreds died.

Korea's seven-member advisory panel, which includes a retired diplomat, a lawyer, a former general, an editor and three academics, was briefed this week after the South Korean investigators returned

from Washington in early November.

A Pentagon delegation led by Assistant Secretary of the Army Patrick T. Henry is due in Seoul on Wednesday.

Collins, the Army spokesman, said the Pentagon hoped to release its report in mid-December, but that depended on further discussions with the Koreans.

Yi said the Pentagon had attempted to define the incident as an unintentional killing of refugees by panicked GIs. He said U.S. investigators told their South Korean counterparts in early November they could not find any written shoot-to-kill order from higher headquarters to the line companies at No Gun Ri.

"The attack on the refugees -- most of them children, women and old people pinned down in the railway trestle -- continued for three days. How are you going to characterize it? The alleged panic cannot explain it all," Yi said.

Earlier, Harvard University professor Ernest May, a member of an advisory panel to the Pentagon's inquiry, said investigators believed the No Gun Ri shootings were the actions of troops who were "not well led" in a chaotic situation and "not a deliberate atrocity."

"Whatever was done was incidental to a panicked retreat," May told the Harvard Crimson newspaper in October.

AP found wartime documents showing that at least three high-level Army headquarters and an Air Force command ordered civilians approaching U.S. positions to be treated as hostile. On July 24, 1950, two days before No Gun Ri, 1st Cavalry division units were instructed: "No refugees to cross the front line. Fire everyone trying to cross lines. Use discretion in case of women and children."

Two ex-GIs who handled radio and message traffic at No Gun Ri told Pentagon investigators, and later AP, that orders to fire on civilians at No Gun Ri came down the chain of command from division or above and were relayed to front-line troops.

The sworn statements by Lawrence Levine, who headed the battalion radio team, and message center chief James Crume, are the first from a higher command level to publicly support accounts by other veterans of being ordered to shoot civilians for fear North Korean infiltrators were among them.

Crume, 72, of Kennewick, Wash., said combat orders in Korea were rarely written. "Most of it was voice command, came over the radio . . . there was very little paperwork due to the limitations of the system," Crume said.

At No Gun Ri, he said, "I do know it was a standing order -- there wasn't anybody going through." Crume said he didn't recall handling that order and may have heard it from officers following a meeting of battalion commanders at 7th Cavalry regiment headquarters.

Among others interviewed earlier by AP, about 20 ex-GIs recalled orders to shoot; a dozen said they either shot at refugees or were witnesses. Some said they didn't remember, or declined to discuss No Gun Ri. One said he didn't recall orders but had fired on his own.

Yi said he spoke out despite official urgings not to discuss the case because he felt Americans needed to understand the depth of Korean feelings and the potential damage to bilateral relations.

He said several members of the Korean advisory panel want to meet with congressional leaders and other officials in the United States before the reports are made public.

UNCLASSIFIED - FOUO

[DIA Home](#) | [What's New](#) | [Products by Type](#) | [Products by Region](#) | [Feedback](#) | [Help](#)

Fort Worth Star-Telegram

December 2, 2000

U.S., Koreans Differ Over Refugee Killings In Korean War

By Sang-Hun Choe, Associated Press

SEOUL, South Korea -- U.S. and South Korean officials disagree about whether American troops were ordered to open fire on refugees at the hamlet of No Gun Ri in the early days of the Korean War, according to an adviser to the Korean inquiry.

Yi Manh-yol, a member of a blue-ribbon panel monitoring the military investigation, said a rift exists over a number of issues, including whether there were shoot-to-kill orders and the number killed. The split was affirmed by five other sources close to the Korean inquiry.

"The Pentagon is trying to deny that American troops attacked the refugees under orders from commanders," Yi told The Associated Press in an interview Thursday. "This is an argument we can never accept," the history professor said.

Yi and a second source close to the Korean investigation told AP the two sides also are at odds over survivors' demands for a U.S. apology and compensation claims of more than \$170 million by survivors and victims' families.

The dispute could threaten a plan to release a joint statement later this month about the bloodletting in July 1950.

Maj. Tom Collins, a Pentagon spokesman, said the U.S. and South Korean investigative teams are working on a Statement of Mutual Understanding detailing points of agreement.

Asked about the rift referred to by Yi, Collins said he could not comment on "press reports."

Korean officials have warned that a failure to satisfy Korean public opinion could damage U.S.-South Korean ties and trigger anti-American sentiment in the country where 37,000 U.S. troops remain on duty.

The two sides launched investigations after AP, citing dozens of U.S. veterans and South Korean survivors, reported last fall that a large number of refugees were strafed or shot at a railroad trestle.

The Korean government lists 175 people allegedly killed at No Gun Ri. Survivors estimate 400 civilians perished, including about 100 killed by strafing U.S. warplanes. Former U.S. soldiers variously estimate 100, 200 or hundreds died.

Korea's seven-member advisory panel, which includes a retired diplomat, a lawyer, a former general, an editor and three academics, was briefed this week after the South Korean investigators returned

from Washington in early November.

A Pentagon delegation led by Assistant Secretary of the Army Patrick T. Henry is due in Seoul on Wednesday.

Collins, the Army spokesman, said the Pentagon hoped to release its report in mid-December, but that depended on further discussions with the Koreans.

Yi said the Pentagon had attempted to define the incident as an unintentional killing of refugees by panicked GIs. He said U.S. investigators told their South Korean counterparts in early November they could not find any written shoot-to-kill order from higher headquarters to the line companies at No Gun Ri.

"The attack on the refugees -- most of them children, women and old people pinned down in the railway trestle -- continued for three days. How are you going to characterize it? The alleged panic cannot explain it all," Yi said.

Earlier, Harvard University professor Ernest May, a member of an advisory panel to the Pentagon's inquiry, said investigators believed the No Gun Ri shootings were the actions of troops who were "not well led" in a chaotic situation and "not a deliberate atrocity."

"Whatever was done was incidental to a panicked retreat," May told the Harvard Crimson newspaper in October.

AP found wartime documents showing that at least three high-level Army headquarters and an Air Force command ordered civilians approaching U.S. positions to be treated as hostile. On July 24, 1950, two days before No Gun Ri, 1st Cavalry division units were instructed: "No refugees to cross the front line. Fire everyone trying to cross lines. Use discretion in case of women and children."

Two ex-GIs who handled radio and message traffic at No Gun Ri told Pentagon investigators, and later AP, that orders to fire on civilians at No Gun Ri came down the chain of command from division or above and were relayed to front-line troops.

The sworn statements by Lawrence Levine, who headed the battalion radio team, and message center chief James Crume, are the first from a higher command level to publicly support accounts by other veterans of being ordered to shoot civilians for fear North Korean infiltrators were among them.

Crume, 72, of Kennewick, Wash., said combat orders in Korea were rarely written. "Most of it was voice command, came over the radio . . . there was very little paperwork due to the limitations of the system," Crume said.

At No Gun Ri, he said, "I do know it was a standing order -- there wasn't anybody going through." Crume said he didn't recall handling that order and may have heard it from officers following a meeting of battalion commanders at 7th Cavalry regiment headquarters.

Among others interviewed earlier by AP, about 20 ex-GIs recalled orders to shoot; a dozen said they either shot at refugees or were witnesses. Some said they didn't remember, or declined to discuss No Gun Ri. One said he didn't recall orders but had fired on his own.

Yi said he spoke out despite official urgings not to discuss the case because he felt Americans needed to understand the depth of Korean feelings and the potential damage to bilateral relations.

He said several members of the Korean advisory panel want to meet with congressional leaders and other officials in the United States before the reports are made public.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. report	re No Gun Ri (1 page)	12/05/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)ROK Proposal

1. Review Process

a. The No Gun Ri Incident
Review was initiated at the direction of the presidents of the Republic of Korea and The United States following the release of the Associated Press report concerning the matter on September 29, 1999. This story brought to the forefront the earlier efforts of Korean citizens to gain an inquiry into their claims surrounding certain events that occurred in the vicinity of No Gun Ri, including the firing upon Korean refugees at the double railroad overpass and an air strike on the railroad track.

b. The efforts of the Korean and US No Gun Ri Review Teams exemplify the highest levels of ROK-US bilateral cooperation. Throughout the duration of this important and sensitive endeavor, both Teams established and steadfastly sustained an environment of mutual cooperation and trust. The Korean and American officials associated with this effort consistently demonstrated their commitment to examine the facts and circumstances surrounding the events. Both teams have candidly shared facts, statements and documents.

1. Review Process

a. Agreed.

b. Agreed.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

1c. The passage of 50 years reduces the possibility that all of the facts will ever be known and a large number of factors including but not limited to trauma, age and media influence the recollections of Korean and US witnesses.

d. Nevertheless, this process will add to a strengthened ROK-US alliance and honor the many of both nations who sacrificed so much for the freedom of the Republic of Korea. Civilian casualties are, without exception, the most tragic of the unintended consequences of conflict. South Korean citizens and soldiers of both nations bore heavy burdens in the summer months of 1950 as a result of North Korean aggression. This review process, characterized by diligent fact-finding, will provide closure for the past and bring hope for the future.

ROK Proposal

1c. Agreed.

d. Agreed.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)**2. ROK-US Mutual Understandings****a. Background of the Incident
and Combat Situation**

(1) In the early period of the conflict, many of the US soldiers deployed to Korea were young, under-trained, under-equipped and new to combat. Units operating in the vicinity of No Gun Ri were under the command and control of leaders with limited proven experience in combat. They were unprepared for the weapons and tactics of the North Korean forces that they would face and the speed of the North Korean advance.

(2) US soldiers were legitimately fearful of the possible infiltration of North Korean soldiers who routinely entered American lines in groups disguised as civilians in refugee columns and then attacked American positions from the rear.

(3) Following the withdrawal of US forces, and entry of the North Korean army into Yongdong, the North Koreans continued to maintain contact with US ground forces east of Yongdong by means of intermittent patrols and indirect fire as the 1st Cavalry Division continued

ROK Proposal**2. ROK-US Mutual Understandings****a. Background of the Incident and
Combat Situation**

(1) Agreed.

(2) Agreed.

(3) Agreed.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT
27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000

US Proposal (as of 7 Nov)

ROK Proposal

its rearward movement to the Naktong River.

(4) North Korean tanks were on what is now Highway 4 east of Yongdong during the last week of July 1950. US soldiers believed that some of the US anti-tank weaponry that was available to them was ineffective against the North Korean armor.

(5) The 2nd Battalion, 7th Cavalry Regiment, shortly after arriving in the Yongdong area, conducted a disorganized and undisciplined retreat toward the vicinity of No Gun Ri during the night of July 25/26, 1950. The retreat occurred as a result of several factors including: a mistaken belief of an imminent enemy breakthrough**** the possibility of encountering North Korean tanks, and the awareness of North Korean infiltration tactics. The organization, disoriented and in disarray, reorganized in the vicinity of No Gun Ri throughout the day on the 26th. The unit completed its consolidation and reorganization in the vicinity of No Gun Ri by the early morning of the 27th of July, when it reported its position.

(4) Agreed.

(5) The 2nd Battalion, 7th Cavalry Regiment, shortly after arriving in the Yongdong area, conducted a disorganized and undisciplined retreat toward the vicinity of No Gun Ri during the night of July 25/26 1950. The retreat occurred as the result of several factors including: a mistaken belief of an imminent enemy breakthrough due to the infiltration by the enemy in the vicinity of 7th Regiment positions, the possibility of encountering North Korean tanks, and the awareness of North Korean infiltration tactics. The organization, disoriented and in disarray, reorganized in the vicinity of No Gun Ri throughout the day on the 26th. The unit completed its consolidation and reorganization in the vicinity of No Gun Ri by the early morning of the 27th of July, when it reported its position.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)**b. Refugee Control**

(1) At the outset of the war, the absence of ROK government refugee control measures resulted in significant confusion and difficulties in controlling refugee movement.

(2) By July 20, 1950, after the Taejon Battle, refugee control was a major concern of the US and ROK forces. In late July 1950, the ROK government and Eighth US Army, in close coordination, began to disseminate refugee control policies to protect US and South Korean forces and reduce the impact of road-bound refugees on military operations.

ROK Proposal**b. Refugee Control**

(1) At the outset of the war, the ~~absence~~ lack of ROK government refugee control measures resulted in significant confusion and difficulties in controlling refugee movement.

(2) By July 20, 1950, after the Taejon Battle, refugee control was a major concern of the US and ROK forces. In late July 1950, the ROK government and Eighth US Army, in close coordination, began to disseminate ~~refugee control policies~~ guidelines concerning refugee control to protect US and South Korean forces as well as refugees and reduce the impact of road-bound refugees on military operations.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT
27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000

US Proposal (as of 7 Nov)

c. Assembly and Movement of Villagers at Im Ke Ri and Joo Gok Ri

(1) With certain exceptions, it was established US and ROK policy in July 1950 that Korean civilians should not evacuate their villages. However, some US veterans testified that, at some point, they escorted Koreans from their villages in an effort to get them out of harm's way or to clear them away from US ground positions.

(2) Some Korean witnesses asserted in their testimony that US soldiers escorted an unspecified number of refugees from Im Ke Ri, a safe village in the mountains on or about the night of 25 July, toward the No Gun Ri area, via Joo Gok Ri along what is now Highway 4. US veterans do remember escorting refugees from villages, but they cannot recall the names of places or dates.

ROK Proposal

c. Assembly and Movement of Villagers at Im Ke Ri and Joo Gok Ri

(1) With certain exceptions, it ~~was established~~ US and ROK policy restricting movement of refugees ~~was established in late July 1950. that Korean civilians should not evacuate their villages.~~ However, some US veterans testified that, at some point, they escorted Koreans from their villages in an effort to get them out of harm's way or to clear them away from US ground positions.

(2) Agreed.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

(3) Some Korean witnesses testified that they saw 7 refugees killed on July 25th when refugees were directed by US forces to stay in an open area near Ha Ga Ri, 1.5km from the village of Joo Gok Ri. The Review could not confirm whose soldiers were involved, nor whether this action was a reaction to a violation of refugee control measures in effect at the time.

(4) Some US and Korean witness statements say that Korean refugees came in contact with US forces in the vicinity of No Gun Ri as they both moved east. As they moved from Yongdong toward Hwanggan, the refugees passed from the road to the railroad tracks. Some US veterans and Korean witnesses recalled that US forces directed refugees to the railroad tracks, conducted searches for infiltrators, weapons and other contraband. Other veterans and Korean witnesses had no recollection of searches being conducted.

ROK Proposal

(3) Some Korean witnesses testified that they saw had seen 7 refugees, who were in compliance with the US control, be killed on July 25th when refugees were directed by US forces to stay in an open area near Ha Ga Ri, 1.5km from the village of Joo Gok Ri. The Review could not confirm whose soldiers were involved, nor whether this action was a reaction to a violation of refugee control measures in effect at the time.

(4) Agreed.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT
27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000

US Proposal (as of 7 Nov)

d. Air Strikes

(1) According to their statements, many Korean witnesses indicate that they were strafed or bombed by US airplanes around noon on July 26, 1950.

(a) Official US Air Force records and pilot interviews found during research do not reflect missions flown on the 26th in the vicinity of No Gun Ri. There were, however, some missions flown on the 26th of July for which no mission reports could be found.

(b) Additionally, analysis of the August 6, 1950 reconnaissance photograph shows an area of probable strafing on the railroad tracks in the area indicated by the Korean witnesses. There is no way of determining the exact date of the probable strafing.

ROK Proposal

d. Air Strikes

(1) According to their statements in the testimony, many Korean witnesses and some US veterans indicate that the refugees near No Gun Ri were strafed or bombed by US aircraft around noon on July 26, 1950.

(a) Official US Air Force records and pilot interviews found during research do not reflect air strike missions flown on the 26th in the vicinity of No Gun Ri. ~~There were, however, some missions flown over the Yongdong area on the 26th of July, however, did the 5th Air Force summary of air operation show, for which no mission reports could be found.~~

(b) Agreed.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

(c) Early in the morning on July 27, 1950, an air strike did, in fact, take place in the 1st Battalion, 7th Cavalry Regiment area in the vicinity of No Gun Ri.

(d) The Review could, therefore, not exclude the possibility of an air strike occurring on July 26th in the vicinity of No Gun Ri.

(2) Air Force records show that US Air Force jet aircraft flying at that time did not carry bombs whereas propeller driven aircraft did. While some Korean witnesses stated that the aircraft directly attacked them, others have stated that they only recall explosions and machine gun fire and other munitions effects, including shrapnel, flames and heat. Official records indicate that US and North Korean Army forces did exchange artillery and mortar fire in the vicinity of No Gun Ri between July 26 and July 29 1950.

ROK Proposal

(c) Agreed.

(d) Agreed.

(2) Air Force records show that US Air Force jet aircraft flying at that time did not carry bombs whereas propeller driven aircraft did. While some Korean witnesses stated that the aircraft directly attacked ~~them~~ refugees, others have stated that they only recalled explosions and machine gun fire and other munitions effects, including shrapnel, flames and heat. ~~Official records indicate that US and North Korean Army forces did exchange artillery and mortar fire in the vicinity of No Gun Ri between July 26 and July 29~~ 1950. Some US veterans witnessed that refugees were killed or injured by US artillery and mortar fire.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

(3) Some Korean witnesses stated that US soldiers called in air strikes on the refugees by use of a radio available to US ground forces at the time. Both Review Teams agree that, on July 26, 1950, the ordinary US ground soldier was equipped only with a portable radio and was incapable of talking directly to an Airborne Tactical Air Controller and requesting an air strike. Army units could submit a request for an air strike but had to pass it through channels to the Joint Operations Center. The processing time for such a request could not have resulted in a prompt response. As a result, any air strike which hit refugees, whether it occurred on the 26th or 27th, was not in response to a call for fire from US soldiers in the No Gun Ri vicinity.

~~The US does not agree with this proposal~~

ROK Proposal

(3) Some Korean witnesses stated that US soldiers called in air strikes on the refugees by use of a radio available to US ground forces at the time. Both Review Teams agree that, on July 26, 1950, the ordinary US ground soldier was equipped only with a portable radio and was incapable of talking directly to an Airborne Tactical Air Controller and requesting an air strike. Army units could submit a request for an air strike but had to pass it through channels to the Joint Operations Center. The processing time for such a request could not have resulted in a prompt response. ~~As a result, any air strike which hit refugees, whether it occurred on the 26th or 27th, was not in response to a call for fire from US soldiers in the No Gun Ri vicinity.~~

DRAFT

27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000

US Proposal (as of 7 Nov)

(4) The US does not agree with this proposal.

(5) The US does not agree with this proposal.

(6) The US agrees with this proposal.

ROK Proposal

(4) Victims witnessed that an air strike was made on 26 July after a reconnaissance aircraft flew over. In addition, the US Air Force mission reports for the sorties flown over the Yongdong area on 26 July showed that a liaison aircraft of the 1st Cavalry Division actually guided and controlled fighters. A request for an air strike could have been made by the ground forces through either the liaison aircraft or TACP.

(5) As shown in the memo by Col Turner C. Rogers, the US 5th Air Force had complied with the army request to strafe all civilian refugee parties that are noted approaching the US positions. This memo assumes the possibility of air strikes in No Gun Ri area, but not sufficient to be accepted as an evidence directly substantiating them.

(6) In addition, victims testified that the US soldiers positioned near the double overpass fired at refugees escaping into the culvert from the air strike as well as shells of ground forces.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)**e. Ground Fire and Issuance of Orders**

(1) US ground forces fired toward refugees in the vicinity of No Gun Ri during this period.

(a) ****At some time between July 26th and 29th, 1950, some US soldiers fired toward the refugees who were at various locations including inside the double overpass. They did so either to control the refugees' movements or because they believed that they had received small arms fire from those locations.**** As a result, an unknown number of refugees were killed or injured. Soldiers fired without orders.****

ROK Proposal**e. Ground Fire and Issuance of Orders**

(1) Agreed.

(a) Based on analysis of the bullet marks on the walls of both the double overpass and culvert as well as of the August 6, 1950 reconnaissance photograph capturing No Gun Ri area, At at some time between July 26th and 29th, 1950, some US soldiers fired toward the refugees who were at various locations including inside the double overpass. They did so either to control the refugees' movements or because they believed that they had received small arms fire from those locations. Korean victims witnessed, however, that there were no communist sympathizers among those refugees killed or injured because most of them were villagers from Im Ke Ri or Joo Gok Ri. As a result, an unknown number of refugees were killed or injured. ~~Soldiers fired without orders.~~ However, some of Korean survivors and US veterans testified that the US soldiers either gave first aid to the wounded or evacuated them to the nearby hospital, and 17 people were so far confirmed to have received such treatments.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**ROK ProposalUS Proposal (as of 7 Nov)

(b) The ROK and US Review Teams understand that this action was not indiscriminate in nature or a premeditated effort to kill Korean refugees.

(2) The Review Teams of both countries understand that US commanders did not issue oral or written orders to shoot Korean civilians between the 25th and 29th of July 1950.

(b) The ROK and US Review Teams understand that could not confirm whether or not this action was not indiscriminate in nature or a premeditated effort to kill Korean refugees.

(2) Since some US veterans witnessed that they fired by the order whereas others denied it, the Review Teams of both countries understand that could not confirm whether or not US commanders did not issue oral or written orders to shoot Korean civilians between the 25th and 29th of July 1950.

(3) The Journal of the 8th Cavalry Regiment, the 1st Cavalry Division shows, though records of other regiments do not, guidelines on shooting refugees to prevent them passing through US front lines.

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

f. Number of Casualties

(1) Because of the passage of 50 years and the effects of the Conflict, the number of South Korean refugees killed, injured or missing as a result of the events in the vicinity of No Gun Ri from July 26 to July 29 1950 cannot be determined.

(2) During their review, the Korean Review Team reported an unverified number of 248 South Korean civilians were killed, injured or missing in the vicinity of No Gun Ri between July 25 and July 29, 1950.

(3) The US Review could not verify the number of casualties. The US Team's research revealed no Korean Conflict archival official records of refugee deaths or injuries that occurred in the vicinity of No Gun Ri between July 26 and July 29, 1950. However, based on US interviews, the US Team believes the number of killed and injured was substantially less than the number reported by the Korean Review Team.

~~(4) The US does not agree with this proposal~~

ROK Proposal

f. Number of Casualties

(1) Agreed.

(2) Agreed.

(3) The US Review could not verify the number of casualties. The US Team's research revealed no Korean Conflict archival official records of refugee deaths or injuries that occurred in the vicinity of No Gun Ri between July 26 and July 29, 1950. However, based on US interviews, the US Team believes the number of killed and injured was substantially less than the number reported by the Korean Review Team.

(4) The exact number of casualties will be verified through a comprehensive and precise investigation.

DRAFT

**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**

US Proposal (as of 7 Nov)ROK Proposal

3. Conclusion of the Review

3. Conclusion of the Review.

Bearing in mind the enduring suffering of the victims, the Korean and American Review mutually understand that:

Bearing in mind the enduring suffering of the victims, the Korean and American Review mutually understand that:

a. An undetermined number of Korean civilians were killed or injured by US combat action in the vicinity of No Gun Ri during the last week of July 1950.

a. The No Gun Ri incident was an incident where an ~~An~~ undetermined number of Korean ~~civilians~~ refugees were killed or injured by US ~~combat~~ ~~action~~ soldiers in withdrawal operation in the vicinity of No Gun Ri during the last week of July 1950.

(1) These Korean casualties did not occur as a result of a specific intent by US personnel to kill Korean refugees.

(1) It could not be confirmed whether or not these ~~These~~ Korean casualties ~~did not occur~~ occurred as a result of a specific intent by US personnel to kill Korean refugees.

(2) No American soldier or airman was ordered to kill Korean refugees.

(2) ~~No American soldier or airman was ordered to kill Korean refugees.~~ The Review Teams could not confirm that oral or written orders to shoot civilians were issued directly by the chain of command.

b. The diligent and conscientious bilateral efforts of both countries in this endeavor represent a significant contribution to the maintenance of the vital and long-standing ROK-US alliance.

b. The diligent and conscientious bilateral efforts of both countries in this endeavor represent a significant contribution to the maintenance of the vital and long-standing ROK-US alliance. Bearing in mind the long lasting sorrow of victims as well as the sacrifice of the US soldiers during the Korean War, the ROK and

~~The US does not agree with this proposal.~~

DRAFT**27 Nov 2000 ROK Proposed Statement of Mutual Understandings
For Official Use Only
as of 28 November 2000**US Proposal (as of 7 Nov)

~~The US does not agree with this proposal.~~

ROK Proposal

US Teams firmly believe that this investigation on an incident that occurred during the Korean War will not only help maintain a more stable ROK-US alliance but also serve as a significant opportunity to realize the value of democracy and recognize the importance of human rights.

Both sides understand that the respective working groups have agreed only that we will take the agreed upon changes to our senior leaders for their review and approval. That each group will discuss the points proposed by the other side on which we were unable to reach agreement with our senior leaders.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. cable	re No Gun Ri: Preparing for the Conclusion (3 pages)	11/29/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. notes	handwritten, re meeting on No Gun Ri (2 pages)	c 11/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F

kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

2 weeks
Charlie Kroger
Asst Sec Deserv
Affairs

P.T. Henry -

| Asst Sec Army
Albuquerque -

Next weeks -
Gregg, O'Rourke, ^{Arizona}
May, Liscos, McClure

NO GUN RI
Agenda

1. Status of IG report and ROK report.
2. Status of US-ROK efforts to draft "core statement" of common conclusions.
3. Role and composition of Advisory Group.
4. Efforts to minimize bilateral impact.
5. Press issues, outreach efforts; rollout strategy to include timing.

Sec → Pres - How gets here

⇒ Schedule of
Briefs

→ Interagency Group -
State not working

⇒ Memo for
Sandy
NGR rollout
strategy.

Press, Cong, Dipl, Pres there / Columb?

Dragging feet

Alright there
↓
stuff for her
trip.

Process ⇒ all in touch

⇒ Roll out strategy

Def / State - Pull together - not current
but integrated Def / State Pub Affairs Strategy

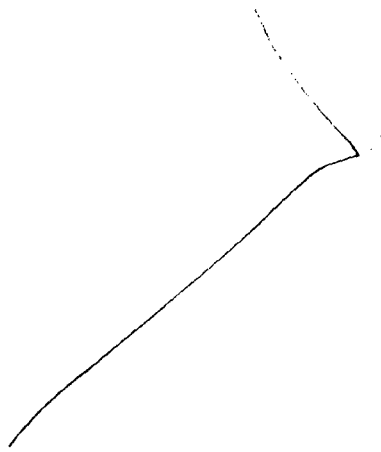
Roll out plan →

- Vets group

Small group ➔

➔ Stan Roth

➔ Order



Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
--------------------------	---------------	------	-------------

012. email	Jonathan Scharfen to Hans Binnendijk re No Gun Ri (4 pages)	10/10/2000	P1/b(1)
------------	---	------------	---------

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
013. email	Justin Siberell to Hans Binnendijk re No Gun Ri Update/Decision (2 pages)	12/18/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
014. cable	re No Gun Ri: PM's Office Readout (5 pages)	01/02/2001	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
015. cable	re No Gun Ri (1 page)	01/02/2001	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Presidential Statement on Nogun-ri Incident

On behalf of the United States of America, I deeply regret that Korean civilians lost their lives at Nogun-ri in late July, 1950. The intensive, year-long investigation into this incident has served as a painful reminder of the tragedies of war and the scars they leave behind on people and on nations.

Although we have been unable to determine precisely the exact events that occurred at Nogun-ri, it is clear that innocent Koreans were killed. To those Koreans who lost loved ones at Nogun-ri, I offer my condolences. Many Americans have experienced the anguish of innocent casualties of war. We understand and sympathize with the sense of loss and sorrow that remains even after a half a century has passed. I know that nothing can ever remove your sadness, but I sincerely hope that the memorial to these and all other innocent Korean victims of the Korean War the United States will construct will bring you a measure of solace and closure. The educational fund that we will launch will serve as a living tribute to their memory.

As we honor those civilians who fell victim to this conflict, let us not forget that pain is not the only legacy of the Korean War. American and Korean veterans fought shoulder to shoulder in the harshest of conditions for the cause of freedom, and they prevailed. The vibrancy of democracy in the Republic of Korea, the strong alliance between our two countries, and the closeness of our two peoples today is a testament to the sacrifices and made by both of our nations fifty years ago.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
016. email	Randy Beardsworth to Hans Binnendijk re No Gun Ri (6 pages)	01/04/2001	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Hans Binnendijk (Defense Policy and Arms Control)
OA/Box Number: 3482

FOLDER TITLE:

No Gun Ri [Korea] [1]

2009-0528-F
kc1405

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]