

Communists List 555 P.O.W.'s but

OMISSION IS SEEN AS THE FIRST HITCH

Pentagon Records Have 317 Missing or Held in Laos—Estimates Run Higher

Special to The New York Times

WASHINGTON, Jan. 28—The Communist side has notified the United States that it holds 555 American military prisoners in North and South Vietnam who will be released within the next two months.

Due to the concern of Nixon Administration officials, however, North Vietnam has supplied no information on or lists of American prisoners who may be held in Laos.

Among some officials there was the belief that North Vietnam would be reluctant to turn over any list until a cease-fire was reached in Laos. There was also a belief that the list would ultimately come not from Hanoi but from the Communist-led Pathet Lao once a cease-fire is reached among the Laotian factions.

The Pentagon lists 6 prisoners and 311 men missing in Laos, but officials believe the number of prisoners held by the Pathet Lao guerrillas is probably substantially higher.

May Be First Problem

The absence of any prisoner list for Laos may provide the first significant difficulty in a prisoner exchange that has thus far seemed to American officials to be working out as provided for in the Vietnam peace agreements.

With the signing of the peace agreements yesterday in Paris, North Vietnam handed over to American representatives a single list of prisoners it held, as well as prisoners who had died in captivity or had been released. The Vietcong's Provisional Revolutionary Government supplied eight lists, covering various categories, such as military and civilian prisoners and those who had died, all presumably captured or dead in South Vietnam.

The Defense Department spokesman, Jerry W. Friedheim, said that the Communists' lists were "incomplete" because they did not include American servicemen known to have been captured in Laos. He emphasized that the United States would continue to press the other side for a listing of prisoners held in Laos.

There have been conflicting statements from United States officials on whether North Vietnam was required to turn over a list of American prisoners held in Laos under the agreement or the accompanying protocols.

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Give No Data on Laos

Kissinger Statement Recalled

At a briefing on the agreement Wednesday, Henry A. Kissinger, the President's adviser on national security, left the impression with some that North Vietnam would be responsible for prisoners in Laos when he said that "American prisoners held in Laos and North Vietnam will be returned to us in Hanoi."

And this morning, Representative G. V. Montgomery, Democrat of Mississippi, who went to the Pentagon to express concern over the absence of a Laos list, said that he and other Congressmen had been told by Mr. Kissinger on Friday that there was "no reason why the North Vietnamese should hide or hold back" on listing Americans captured in Laos.

Concern was also expressed by the National League of Families of American Prisoners and Missing in Southeast Asia. Mrs. Phyllis Galanti, board chairman of the league, said, "Everything we have been told has led us to believe there would be a list" for Laos.

But State Department officials indicated that North Vietnam — which has never admitted the presence of its troops in the ostensibly neutral territory of Laos — has not given a firm commitment to supply a Laos list.

A contrary impression, however, was conveyed by Defense Department officials, who said that North Vietnam had promised to supply a prisoner list for Laos, as well as North and South Vietnam, during the discussions leading to the agreement.

Both State and Defense Department officials said that the United States would now press North Vietnam for a list of prisoners in Laos.

They said the matter would be taken up with North Vietnamese representatives in Paris. In addition, Defense Department officials said that Maj. Gen. Gilbert H. Woodward, the United States representative on the four-party Joint Military Commission, would be instructed to raise the matter at the first meeting.

Few Surprises Otherwise

With the exception of Laos, Pentagon officials, on initial examination, found few discrepancies or surprises in the prisoner lists provided by the Communist side.

In at least one case, according to military officials, a man listed as dead by the Pentagon was reported to be a prisoner. But there were also several cases where men who the Pentagon believed were prisoners were listed as dead by the Communist or not included on the prisoner lists.

As was expected by the De-

fense Department, the Communists' total of prisoners is somewhat less than that given by the United States. But some of the discrepancies, a Pentagon official pointed out, could be explained by the fact that the Defense Department has been listing as prisoners some 20 men listed as dead, by North Vietnam.

The Defense Department had listed 591 prisoners — 476 in North Vietnam, 109 in South Vietnam and 6 in Laos. Subtracting the 20 men listed as dead by Hanoi and the 6 in Laos from the Pentagon list, that would bring the total down to 565—or 10 more than in the list supplied thus far by the Communist side for prisoners in North and South Vietnam.

Officials said that Hanoi's list conformed closely to those it had previously supplied through antiwar groups. More revealing, they said, were the lists supplied by the Vietcong, who had never previously named any of the prisoners they held. Only about half of the 19 Vietcong prisoners in South Vietnam had been identified directly through letters or broadcasts. The rest were listed as prisoners, largely on the basis of circumstantial evidence.

The State Department disclosed last night that lists turned over by the Communist side showed that 27 American civilians were prisoners of the Vietcong and and civilians had died in captivity. Before the release of these lists, almost nothing had been heard about 51 civilians listed by the State Department as either captured or missing in Indochina, principally in South Vietnam.

The State Department had today virtually compelled the task of notifying the families of prisoners and missing of the

names on the Communists' lists. Publication of the names followed this notification, and by late this afternoon, the Defense Department had published the names of 378 prisoners on the lists—70 in the Army, 135 in the Navy, 150 in the Air Force and 23 in the Marine Corps.

At the same time, officers were carrying out the somber task of notifying most of the families of those missing in action that the names had not appeared on the Communist lists. The Defense Department lists 1,334 men missing in action—519 in North Vietnam, 504 in South Vietnam and 311 in Laos. The Department said that only a "few" of the 1,334 men missing in action appeared on the lists of prisoners.