

**Congress of the United States**  
**Washington, DC 20515**

October 3, 2014

Honorable Ray Mabus  
Secretary of the Navy  
2000 Navy Pentagon  
Washington, D.C. 20350

Dear Mr. Secretary,

We are writing to request an investigation by the U.S. Navy into possible American involvement in the deaths of two American citizens in Chile during the time of the coup d'etat by Chilean General Augusto Pinochet. The unanswered questions concerning American assistance in or knowledge of the murder of Charles Horman and Frank Teruggi at the hands of the Chilean Junta in 1973 remain a stain on America's standing as the promoter of human rights around the world.

We write to you based on our extensive history with U.S.-Chilean relations. As long ago as 1976, two of us traveled together to Chile to investigate human rights abuses by the Pinochet regime and we have remained involved with human rights, trade, and other issues affecting Chile and the United States ever since.

As you might know, after many years of investigation, on June 16, 2014, a Chilean judge in Santiago, Chile, issued a decision in connection with the deaths of Horman and Teruggi, both U.S. citizens living in Chile at the time of the coup. The judge concluded that American naval officer Captain Ray E. Davis, Commander of the United States Military Group in Chile at the time of the coup, provided information to a Chilean military liaison that led to the arrest and execution of Horman and Teruggi.

Two years earlier, in October 2012 the Chilean Supreme Court approved an extradition request for Captain Davis, in which it described Davis's crime as "Aggravated Murder." After months of delay due to the need to translate the decision, however, Davis was not located before his death was reported by his wife in Chile.

The historical record makes it clear that Captain Davis met Charles Horman in Valparaiso, Chile, as the coup was unfolding. Captain Davis drove Horman and a friend, Terry Simon, back to Horman's home in Santiago. Horman was seized in his home a short time later, apparently by the Chilean military. Horman's wife, Joyce, requested Davis's help in locating her husband after he was seized, but, according to Ms. Harman, Davis provided her no assistance in finding her husband.

In 1977, Horman's parents and widow filed a lawsuit in federal court, in which Capt. Davis was named as a defendant, seeking information concerning possible U.S. involvement in Horman's disappearance and death. The lawsuit was ultimately dismissed "without prejudice" because it could not proceed without obtaining access to documents withheld by the U.S. Government. *See Horman v Kissinger*, (DDC, Civ. Act. # 77-1748).

In 1998, a State Department memo was declassified which revealed that, in 1976, the State Department thought that U.S. intelligence had a role in Charles Horman's death, and that the circumstances should be investigated:

"Based on what we have, we are persuaded that: - The GOC sought Horman and felt threatened enough to order his immediate execution. The GOC might have believed this American could be killed without negative fall-out from the USG" and;

"There is some circumstantial evidence to suggest: - U.S. intelligence may have played an unfortunate part in Horman's death. At best it was limited to providing or confirming information that helped motivate his murder by the GOC. At worst, U.S. intelligence was aware the GOC saw Horman in a rather serious light and U.S. officials did nothing to discourage this logical outcome of GOC paranoia."

<http://www2.gwu.edu/~nsarchiv/news/19991008/01-06.htm>

Nonetheless, no U.S. investigation of Horman or Teruggi's death has ever been conducted.

Now, 41 years after the deaths of Horman and Teruggi, and in light of the decision by the Chilean court, we ask that the Navy undertake a full investigation of their deaths, to determine what, if any role, Captain Davis, or any other member of the U.S. Navy may have played in their detention and death.

We believe the Department's investigation should seek answers to the following questions, among others:

- 1) Did the U.S. Navy partake in surveillance of American citizens living in Chile during the Allende Administration?
- 2) Did the Navy have any knowledge of any such surveillance by the CIA, State Department or other U.S. military or civilian agencies?
- 3) Did the U.S. Navy share any surveillance that it collected or that it

received from other American military or civilian agencies or departments about Americans living in Chile with the Chilean military or intelligence officials working against democratically elected President Allende before, during or after the coup?

- 4) Generally, what was the role of Captain Davis and the U.S. Military Group prior to and during the coup? And specifically, did Captain Davis and other members of the U.S. Military Group have prior knowledge of the coup or aid the Chilean military in any manner with the coup?
- 5) What efforts were made by the U.S. Navy and other U.S. agencies to locate Horman and Teruggi immediately after the coup, and to secure their safe passage out of Chile?

We recognize that the U.S. government has declassified many documents over the years concerning our government's knowledge of or involvement with General Pinochet, but it is clear that the whole story has not yet been told. While there may well be some uncomfortable, if not painful, revelations yet to be made, full disclosure is critically important in terms of upholding America's commitment to international human rights as well as our government's commitment to transparency and accountability. Moreover, the families of these murdered American citizens should not have to wait any longer to know what, if any, role the U.S. Government played in the deaths of their loved ones.

Thank you for your attention to our request to determine, once and for all, whether the United States government bears any culpability in the deaths of American citizens Charles Horman and Frank Teruggi.

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Please feel free to contact us directly, or contact Daniel Weiss, chief of staff to Rep. George Miller, 202-225-2095, [Daniel.weiss@mail.house.gov](mailto:Daniel.weiss@mail.house.gov).

Sincerely,

  
Hon. George Miller, M.C.

  
Hon. Tom Harkin, U.S.S.

  
Hon. Bernard Sanders, U.S.S.

Enclosure

NYTimes article

[http://www.nytimes.com/2014/07/01/world/americas/chilean-court-rules-us-had-role-in-murders.html?\\_r=0](http://www.nytimes.com/2014/07/01/world/americas/chilean-court-rules-us-had-role-in-murders.html?_r=0)

The Guardian article

<http://www.theguardian.com/world/2014/jul/01/chile-us-intelligence-1973-killings-americans>

The declassified document from 1976, #343 – posted on the National Security Archives website

<http://www2.gwu.edu/~nsarchiv/news/19991008/01-06.htm>

The English translation of Judge Zepeda's formal indictment