

Congress of the United States
Washington, DC 20515

October 3, 2014

Honorable John Kerry
Secretary of State
2201 C. St., NW
Washington, D.C. 20350

Dear Mr. Secretary,

We are writing to request an investigation by the State Department 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).

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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 State Department undertake a full investigation of their deaths to determine what, if any, role American officials may have played in their detention and death.

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

- 1) Was any U.S. Agency provided surveillance information by the State Department or other U.S. agencies concerning Americans living in Chile during the Allende Administration or during the coup?
- 2) Did the U.S. State Department make available any such surveillance to Chilean military and intelligence officials working against Allende before or after the coup?
- 3) What was the role of Ambassador Nathaniel Davis and Consul Fred Purdy, with the US Military Group generally prior to, during, and after the coup?
- 4) What efforts were made by U.S. agencies to secure passage out of Chile for Horman and Teruggi and to locate their whereabouts immediately after the coup?

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

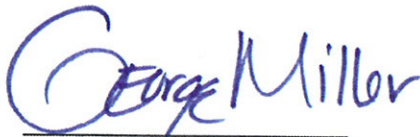
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families of these murdered American citizens should not have to wait any longer to know what, if any, role the U.S. Government played in the deaths of their loved ones.

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.

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.

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>

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