



Official Policy: Abandon POWs

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On April 12, 1973, at the very conclusion of Operation Homecoming, which repatriated 591 POWs, the U.S. government made public its intent to close the books — and thereby the coffins — on the remaining American POWs and MIAs in Southeast Asia. At a press conference on that date, Dr. Roger Shields, then assistant secretary of Defense, stated that the Department of Defense had “no evidence that there were any more POWs still alive in all of Indochina.” The DOD at that time listed 2383 personnel as unaccounted for: 1259 POW/MIAs and 1124 KIA/BNRs (killed in action/body never recovered).

The U.S. government’s assertion that it had “no evidence” of live POWs was ludicrous then; that it still maintains this position, despite the mass of evidence accumulated since, is outrageous. The Defense Department has on file 11,700 reports relating to POW/MIAs, including 1400 firsthand, live-sighting reports. This evidence has been closed to the families of POW/MIAs, to POW/MIA organizations, to the press, and, until very recently, even to members of Congress.

The government has maintained the “no evidence” assertion since 1973. One of the most recent reiterations of that line came last July when Colonel Joseph A. Schlatter, then chief of the Defense Intelligence Agency’s Special Office for POW/MIAs, stated: “If we look at everything we collected during the war and everything we’ve collected since the war, we don’t find any evidence that Americans are captive.”

But opinion polls indicate that 62 percent of the American people and 84 percent of Vietnam veterans believe that U.S. POW/MIAs are still alive in Vietnam. Once the soon-to-be-released POW/MIA report by Senators Jesse Helms and Charles Grassley becomes widely known, the government’s credibility on this matter should drop to near zero.

Cracking the Files

For over a year, Senators Grassley and Helms and investigators on the Minority Staff of the Senate Foreign Relations Committee have been conducting an intensive but quiet investigation of the U.S. government’s handling of the POW/MIA matter. They have examined the voluminous files of private POW/MIA organizations, and interviewed former POWs and private POW/MIA investigators. Most significant, however, is that, for the first time ever, members of Congress have gained access to the government’s POW/MIA files.

On October 29th, the U.S. Senate Committee on Foreign Relations Republican Staff released its **Interim Report on the Southeast Asian POW/MIA Issue**. In his letter accompanying the report, Helms noted that the document represents “a major breakthrough in the careful examination of DIA live-sighting reports on POW/MIAs — the first time in 17 years that an independent branch of the government has had an opportunity to make an objective evaluation of



the methods used in accounting for those categorized as POW/MIAs in Southeast Asia.” Few Americans should be surprised to learn that the Minority Staff investigators found the government’s “accounting methods” for the POW/MIAs to be as phony as those used by the government to hide its fiscal depredations.

According to Helms, the Minority report centered on the following three questions:

Does the U.S. Government possess valid information concerning living POWs in Southeast Asia?

Has the U.S. Government failed to act on information concerning living POWs in Southeast Asia?

Has the U.S. Government acted improperly to intimidate, coerce, or discredit sources which have valid information concerning living POWs in Southeast Asia?

The Interim Report answers each of these questions in the affirmative.

These are some of the conclusions reached by the investigators:

- “After the conclusion of Operation Homecoming ... official U.S. Government policy internally adopted and acted upon the presumption that all other POWs were dead, despite public assertions that the government was still open to investigating the possibility of discovering the existence of living prisoners.”
- “[S]taff review of live-sighting report files at DIA found a disturbing pattern of arbitrary rejection of evidence that connected a sighting to a specific POW/MIA or U.S. POW/MIAs in general.”
- “The internal policy that all POW/MIAs were presumed dead resulted in an emphasis on finding and identifying remains of dead personnel, rather than searching for living POW/MIAs.”
- “Despite adherence to internal policies and public statements after April 1973 that ‘no evidence’ existed of living POWs, DIA authoritatively concluded as late as April 1974 that several hundred living POW/MIAs were still held captive in South East Asia.”
- “Although the Pathet Lao declared on April 3, 1973 that Laotian Communist forces were holding American POWs and were prepared to give an accounting, nine days later a DOD spokesman declared that there were no more American prisoners anywhere in Southeast Asia. No POWs held by the Laotian Communist forces ever returned. The evidence indicates that the U.S. Government made a decision to abandon U.S. citizens still in the custody of the Socialist Republic of Vietnam, Laos and Cambodia, at the conclusion of U.S. involvement in the Second Indochina War.”
- “DOD spent an excessive amount of effort in discrediting live-sighting reports, while exaggerating or mishandling forensic data in order to confirm a presumptive finding of death. DOD appeared to be more anxious to declare a presumptive finding of death than in following up reports of sightings with creative investigative work.”
- “The classified evidence in DIA files suggests a pattern by a few U.S. Government officials of misleading Congressional inquiries by concealing information, and misinterpreting or manipulating data in government files.”



“They Are All Dead”

According to the **Interim Report**, Dr. Roger Shields, when he made his “no evidence” statement on April 12, 1973, was following guidance issued on that date by the Department of State in a memorandum to DOD: “There are no more prisoners in Southeast Asia. They are all dead.” This policy declaration was made, the Minority Staff investigators point out, despite the fact that there were hundreds of live-sightings on file and the Pathet Lao publicly acknowledged holding hundreds of POWs in Laos. The staff investigators recognized that this statement of policy “was a political statement, rather than a finding according to statutory authority.” They also noted: “Since it was official policy, then, that all MIAs were dead, it became a bureaucratic necessity for all ‘unresolved’ cases to be resolved in favor of a presumed finding of death.”

The Minority Staff found that, “in order to discredit any information which might undermine the political thesis, the analysis of intelligence files fell into a systematic pattern of debunking information contrary to the thesis.” This pattern of debunking included “discrediting of reports, possible intimidation of witnesses, dismissal of credible evidence through technicalities, and — if all else failed — the arbitrary disregard of evidence contrary to the thesis.” The Department of Defense has followed the State Department’s policy memorandum without deviation.

“DOD’s premise,” states the report, “beginning in April 1973, has been that all MIAs are dead; the corollary, therefore, is that DOD must never find any evidence that any MIA is alive. The best evidence, in DOD’s opinion, is a set of physical remains that can be identified as a specific individual on the POW/MIA list, Once such an identification has been made, the case of that individual can be removed forever from the list.”

Their survey of the POW/MIA files led staff members to believe that “DOD has misidentified the remains of scores of MIAs, and has incorrectly presumed dead many others.” According to the **Interim Report**, “The pressure to identify sets of remains even has resulted in specific cases where caskets have been buried with full military honors as the ‘remains’ of the individual when, in fact, the casket is empty.”

Empty Caskets

The empty casket charade was played out most recently at Arlington National Cemetery on October 5, 1990, three weeks before the release of the **Interim Report**. On that day Senator Helms rose on the Senate floor to expose the hoax. The names of the four servicemen whose “remains” were buried are: Specialist 4th Class Joel C. Hatley, from Albemarle, North Carolina; Captain David L. Nelson, from Kirkland, Washington; Warrant Officer Ralph Moreira, from Beaver Falls, Pennsylvania; and Specialist 4th Class Michael E. King, from Calhoun, Georgia.

“There are no remains whatsoever for Specialist 4 Hatley or for Captain Nelson,” charged Helms. “For Warrant Officer Moreira and Specialist 4 King, there are miniscule fragments of bone and a tooth not positively identifiable by any objective forensic analysis. Yet four coffins will be buried with full military honors.” The Defense Department claimed that the “remains” had been recovered during “joint excavation efforts by the U.S. and Lao governments” of the site where the



four servicemen's helicopter supposedly crashed in March 1971. One problem with this story is that Captain Nelson had been identified by a Laotian eyewitness as a fellow POW. The Laotian claimed that he had been imprisoned with Nelson in 1978 and had buried him in the POW camp when he died. If Nelson was buried in the POW camp, his remains could not have been recovered from the helicopter crash site and the government is again indulging in "creative" accounting methods.

"DOD obviously has its own language, its own definitions of ordinary words, its own purposes to be served," says Helms, "When DOD says 'accounted for,' it means only that DOD has gone through a stereotyped process that allows it to close the files on a case." Furthermore, says the senior senator from North Carolina, "DOD's use of the term 'remains' does not meet the ordinary definition of the word. For DOD, the word 'remains' refers not to the actual physical remains, but to an abstract concept deduced from circumstances."

The Pentagon brass conveniently ignore the fact that there were survivors of numerous plane and helicopter crashes in Vietnam. The absence of human remains at a crash site, far from justifying a "presumption of death," should, rather, be cause for hope that the crew survived. But that would conflict, of course, with the "all dead" political thesis underlying official policy at DOD and the State Department. So the subterfuge continues. "When no actual remains are found in the crash, or not enough remains are found to account for each crewman," says Helms, "the DOD declares that the whole crew has been accounted for. Thus the empty caskets are returned as symbolic remains. That is why no actual remains are buried today for two of the missing airmen."

Imagine the emotional trauma of family members who — after two decades of waiting, hoping, and praying for the return of their loved ones — are told that finally the long wait is over; their father's, son's, husband's, or brother's remains are coming home — only to learn that they have been lied to. Such has been the experience of many POW/MIA families, including those of Specialist Hatley and Captain Nelson. "They were thrilled," recounts Helms, "when they first got the news that their sons had been found; but they were shocked when they were told, upon further inquiry, that no actual remains were being returned, just four empty coffins. Why does the Department of Defense put the families of MIAs through this kind of charade?"

Fawning Rhetoric

Why, indeed? And why is it that the U.S. government seems so intent upon normalizing relations with the communist regimes in Vietnam, Laos, and Cambodia? Why do State Department and DOD officials take such pains to cast these totalitarians in a favorable light? The Department of Defense, at the time of the interment of the "remains" of Nelson, Hatley, Moreira, and King, issued a statement declaring: "The serious cooperation of the Lao government was instrumental in achieving productive results from this joint operation and is deeply appreciated by the U.S. government."

Of this rhetoric Helms states: "This fawning appreciation lavished upon a government that may well be concealing the fate of many other America MIAs suggests that politics has been placed



before the American family.” This is the politics of the “new world order” that George Bush keeps trumpeting. But Mr. Bush did not originate this new world order business, anymore than he initiated our on-going POW/MIA policy. Both are products of the Council on Foreign Relations (CFR), the camorra that has dominated American politics for most of this century.

The **Interim Report** does not say who in the Nixon Administration authored the April 1973 State Department memorandum that initiated the policy to abandon hundreds, or perhaps thousands, of POW/MIAs to slow, excruciating torment, torture, and death. Most likely it was Henry Kissinger (CFR), who was then running the Vietnam show, and who, a few months later, took over as Secretary of State. Richard Nixon, who had been a CFR member from 1961 through 1965 — and who later appointed more than 110 CFR members to high government positions — signaled his continuing allegiance to the CFR’s new world order by authoring a piece for the October 1967 issue of the CFR’s journal **Foreign Affairs**. Titled “Asia After Vietnam,” the essay envisioned an Asia open “to the evolution of a new world order.”

Restricted Access

For 17 years, and through successive Democratic and Republican administrations, the POW/MIA files have remained closed in the interest of new-world-order politics. Finally, they have been opened — though just a crack. Early last year, Senators Helms and Grassley had requested access to the POW/MIA files from the Department of Defense. In April they received a response from Assistant Secretary of Defense for International Security Affairs Henry Rowen (CFR): request denied; national security might be jeopardized. On July 31st, Grassley delivered a speech from the Senate floor protesting this bogus invocation of “national security” to thwart legitimate legislative oversight of this important national issue. As the senator pointed out, it is “utterly ridiculous” for DOD to refuse Congress access to the files on “security” grounds, especially since congressmen routinely have access to classified documents. The POW/MIA files are classified mostly as “secret,” “confidential,” or “for official use only” — hardly candidates for the “national security” imperative.

Following his speech, Grassley received a letter from Dr. David Gribbin, Assistant Secretary of Defense for Legislative Affairs, reversing DOD’s earlier denial. Access was granted, but, as Grassley pointed out in a speech before the Senate on October 12, 1990, only “under the most extraordinary of restrictions.” He explained: “I, Chuck Grassley, have to go to the Pentagon myself and camp out there if I want to review these documents. I am not even allowed to bring my own staff regardless of the fact that some of my staff have appropriate clearance. Instead, I have to bring staff from one of three committees, even though I do not sit on any of those committees. Furthermore, if I were to leave during this period of time ... the staff has to leave as well as a matter of practice.”

Because of the extremely restrictive guidelines set by DOD, Grassley and the committee staffers involved had been able to log collectively only 116 hours on the files by the time the **Interim Report** was issued. This had allowed review of only about one-quarter of the so-called “resolved” cases and none of those categorized as “unresolved” by DOD. Still, as the report indicates, the investigators saw more than enough to verify what millions of Americans have long known: Our



American POW/MIAs have been betrayed and abandoned by our elected leaders in Washington, and these same leaders have consistently lied to the American public on this issue.

A much more comprehensive follow-up to the ***Interim Report*** points out that a resolution of this matter “is important not only to any MIA/POWs who maybe still alive, but also to the families involved. It is also important to the fate of any possible POWs in a future military action. With 200,000 [now many more] U.S. troops now deployed to the Persian Gulf, the question of possible prisoners of war once again becomes an urgent matter.”