

The original documents are located in Box 22, folder “MIA/POW - Proposed Presidential Board or Commission” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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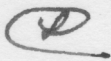
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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

October 10, 1974

MEMORANDUM FOR: COUNSELLOR MARSH
THRU: GENERAL SCOWCROFT
FROM: GENERAL LAWSON 
SUBJECT: MIA/POW

Since 9 August 1974, an increasing amount of pressure has been applied by the various constituents of the MIA/POW. The desires of these groups and individuals vary - however, in general, they are requesting intentions, actions and plans of the Ford administration in support of the MIA/POW objectives. Out of these letters, telegrams and thru a series of meetings with various individuals and groups, a rough consensus is beginning to appear. Broadly stated, it is the desire of the majority that some type of a group be appointed by the President to review activities of the various branches of the government as they have supported MIA/POW interest in the past, to review the planning and activities on-going in support of the program now and to make recommendations to the President where appropriate.

Of course, there are a number of specific actions pertaining to the program which are being pushed by each of the organizations and/or individuals. The general mood, as I have determined it to be, is that now is the time for the administration and Congress to jointly develop their plans with regard to the MIA/POW program. I believe that all groups now understand that the President cannot accommodate their goals without strong legislative support. Such issues as trade restrictions, redesignation actions, United Nation resolutions, as well as agreements with other countries in support of MIA/POW objectives, almost dictate unified actions by the government.



In response to a specific request by the Board of Governors of the National League of Families, Mr. Frank Sieverts, Dr. Roger Shields and I met with their Board of Directors for approximately 3 1/2 hours on 5 October 1974. I believe we clarified a number of issues raised by that group. In addition, we carefully reviewed the oft stated request of the League with regard to a meeting with the President. As a result of that review and discussion, it is the desire of the League that we review a request which they have forwarded to me regarding the establishment of a Presidential task force. I have attached a copy of the various features of the task force as they see it. It is apparent that the membership has used the President's amnesty commission as a model for this study group, however, I would also add that other individuals have quickly joined with the League in supporting the designation of such a group -- reference the press release from Senator Cranston of California, which I have attached.

In my judgment, the time has come for some action by the President in response to requests from the National League of Families. The Presidential task force idea would seem to offer a vehicle to air many of the problems inherent in the program today. I would quickly add that there are also some very real problems associated with the designation of such a group. On balance, I think the idea deserves careful study by all agencies concerned. Dr. Shields, Mr. Sieverts and I believe that a properly chartered task force, manned by competent personnel of sufficient stature, could significantly influence the direction of the program. While I realize the hazards, I believe that anything short of this type of action will leave most of the families with a bad taste in their mouths. Further, I would personally recommend that the President meet with the families within the month. It is apparent to me that they have regained their balance, and their desires for the meeting are now based primarily on their desires to hear his personal views regarding the program. Specifically, they will ask what is the current program, what are the future plans, and how long it will take to accomplish those plans. As you can see, the questions are quite simple - the answers to the questions could be a brief review of the current situation, followed by the announcement of plans pertaining to the establishment of a Presidential study group.

I would like to discuss this issue with you at the earliest convenience.



JOM MA

THE WHITE HOUSE
WASHINGTON

October 15, 1974

TO:

JACK MARSH

FROM:

BRENT SCOWCROFT

B

I have already mentioned to you and Ted Marris my reservations about this course of action. I still think we must be very sure where we will end up before we undertake a program of this nature.

I
I agree!
HK

H/K next step?



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 628-6811

September 30, 1974

PRESIDENTIAL TASK FORCE -- POW/MIA

I. Why a Task Force?

The responsibility for obtaining a successful resolution of the POW/MIA issue should be centralized. Previously the issue has been a concern of the Executive Branch including State Department, Defense Department, and the Congress. It has lacked the cohesiveness that a commission directly responsible to the President would have. Therefore, it seems desirable--even imperative--that a Presidential Task Force be established.

II. Make Up of Task Force

Of course the President would determine the make up. But, because we so fervently desire an acceptable determination of the fate of our men, we are bold enough to make these suggestions:

1. Someone from the Executive Branch to chair the commission.
2. Senate representation.
3. House representation.
4. State Department representation.
5. Department of Defense representation.
6. National League of Families representation.
7. Members of other agencies could be used as consultants as the need arises; i.e., Justice Department, J. C. R. C. Team, Four Party Joint Military Team, Red Cross, etc.

III. Purpose, Objectives, and Responsibilities of Task Force

1. Very simply to develop, coordinate and execute a plan for obtaining an honorable resolution of the POW/MIA issue as quickly as possible.
2. It is easy to state simply and succinctly the purposes and objectives. The difficulty is in developing a plan and then in executing such a plan. This will require diligent

thinking and rethinking, but the following might be used as a base which may be altered and enlarged upon as we proceed towards the goal.

The Task Force, as an arm of the government and directly responsible to the President should:

2.1 Seek ways to bring world-wide attention to the fact that the government of North Vietnam and the leaders of the Provisional Revolutionary Government (Viet Cong) are not abiding by international agreements which were witnessed by and attested to by other governments.

2.2 Use the United Nations and other world forums to call upon other governments of the world that are signatory to the Geneva Convention, to demand publicly and through official government channels that the DRV and PRG abide by international agreements.

2.3 Observe closely the coalition government in Laos and use all the means available to us to get cooperation and assistance in obtaining an acceptable accounting and return of all POW's according to the Laotian protocols.

2.4 Use all available means to obtain an acceptable accounting and return of all POW's who may be in areas outside of North Vietnam, South Vietnam, and Laos. These would include but not be limited to Red China and Cambodia.

2.5 Study the possibility of applying economic pressure in obtaining an acceptable accounting, not only to North Vietnam but to any country that has not to our government's satisfaction pressured the DRV, PRG, Pathet Lao, and Khmer Rouge to honor their commitments.

2.6 Send a high ranking U. S. envoy to Southeast Asia to go from capital to capital (from Saigon to Phnom Penh to Vientiane to Hanoi to Peking) to try to gain entry into areas presently controlled by Communists for our J. C., R. C. Team, the International Red Cross, or neutral countries, so such teams could search out crash and incident sites, talk with natives, and try to obtain the honorable accounting we desire.

2.7 Seek out governments from neutral countries that would volunteer to send in teams to inspect crash and incident sites if such arrangements could be negotiated.

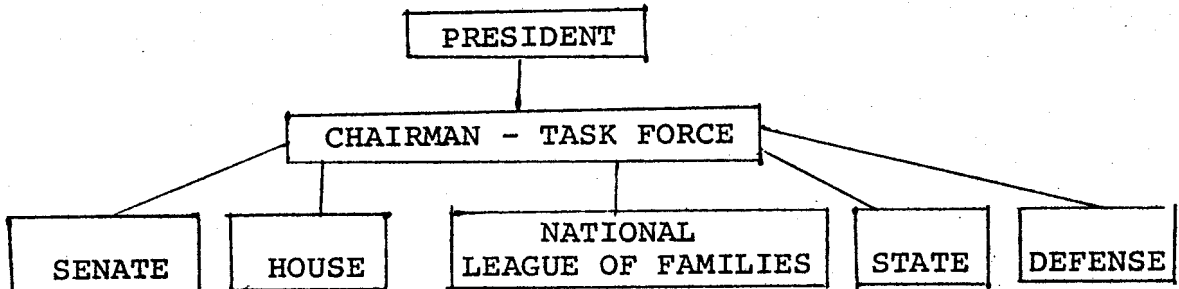
2.8 Work closely with our J. C. R. C. Team, the Four Party Joint Military Team, and other existing agencies engaged in Southeast Asia that could help in the POW/MIA issue.

IV. Funding

The Task Force should be specially funded for a given period of time--say four months. During this time the Task Force would exert maximum effort in developing and executing a plan. The 120 days would end about January 27, 1975, which is the second anniversary of the signing of the Paris Peace Agreements.

V. Reporting

The Task Force should issue reports periodically, the first report to be issued within one month from its organizational meeting and monthly thereafter or more frequently if deemed necessary. The final report should be given approximately January 27, 1975, at which time the commission could assess the situation and recommend that the Task Force be disbanded or continued depending on the situation at that time.



ECM:dib

SEP 30 1974

Press Contact: Lu Haas
11000 Wilshire Blvd.
Los Angeles, Cal 90024
Phone: 213/824-7755 or
824-7844
September 25, 1974

FOR IMMEDIATE RELEASE

U.S. Senator Alan Cranston announced today that he will ask President Ford to create a special board of inquiry to review all existing government procedures and policies relating to Americans still missing-in-action in Southeast Asia.

Cranston said that if the President cannot create such a board by executive order, he will initiate legislation establishing the board.

"Many Americans," said Cranston, "have already begun to forget the war in Vietnam. But for wives and families of those men whose fate is still uncertain, the memory of that cruel and tragic conflict is very fresh indeed. For them, the anguished uncertainty continues day after day."

"I believe that a board of inquiry would be able to make badly-needed comprehensive recommendations as to what the federal government can do to settle once and for all the question of the fate of those Americans who are still missing and unaccounted for.

"The board should include in its review of existing policies and procedures a thorough examination of Department of Defense practices with regard to MIAs and POWs, as well as recommendations for needed legislative and executive action.

"Specifically, the board should:

"1. Determine if the State Department is actively seeking an end to the war in Vietnam so that search teams may conclude--by examining crash and grave sites--whether any Americans remain alive in Communist-controlled territory.

"2. Review Department of Defense policies and regulations on determining the status of missing-in-action.

"3. Recommend to the Administration and the Congress any legislation needed to correct current problems regarding DOD policies and regulations."

Cranston noted that the Senate Committee on Finance has adopted, as Title IV of the Trade Reform Act, language which reflects amendments offered by

more

Senators Chiles and Gurney of Florida conditioning the extension of most-favored-nation treatment and government credits to non-market economies upon a Presidential determination that such countries had undertaken to obtain the cooperation of the pertinent governments in Southeast Asia in locating U.S. personnel missing in action, repatriating those who are alive, and in recovering the remains of those who are dead.

Earlier the Senate adopted, as part of the Military Construction Authorization Act, a provision--of which Cranston was the prime cosponsor--stating that:

No change in the status of any member of the uniformed services who is in a missing status may be made unless and until two provisions have been fulfilled. First, the President must determine and notify the Congress in writing that all reasonable actions have been taken to account for such members, and that all reasonable actions have been made to enforce the provisions of Article 8 (b) of the Paris Peace Accord. Second, the service Secretary concerned must notify that person's next-of-kin in writing of the proposed change in status. The next-of-kin then has 60 days after receipt of notification of the proposed change in status to file an objection to the change.

"These are important steps toward resolving the question of MIAs and POWs fairly and compassionately," Cranston said.

"Creation of a board of inquiry would be another important step toward demonstrating to the long-suffering relatives of our men that the government is giving priority to this tragic problem."

50
Military Activities
to the President

17 August 1974

Mrs. Jerry Bonin
317 Lackland Drive West
Biloxi, Mississippi 39532

President Gerald A. Ford
The White House
Washington, D. C. 20510

Dear President Ford:

CS-2A

I am the local campaign coordinator for the National MIA Awareness Campaign - WE THINK IT'S IMPORTANT as an interested citizen rather than as an immediate family member of a MIA. On behalf of those MIA families, I request your support of this campaign by:

- (1) setting a National Day of Awareness for mailing American soil to Hanoi or some other appropriate nationwide special day of support;
- (2) speaking with Secretary of State Kissinger about putting more pressure on the North Vietnamese through diplomatic channels or another trip to Hanoi;
- (3) supporting Amendment Number 1194 of the Trade Reform Act now lodged in the Senate Committee on Finance;
- (4) and most urgently, agree to a meeting with members of the National League of American Prisoners and Missing in Southeast Asia.

Please help these families in this heart breaking situation.

In closing, may I share an adage an Ohio mother of a MIA used in a slide documentary she prepared to help make Americans aware of this national tragedy:

Poor is the nation who has no heroes,
Shameful is the one, who, having them, forgets.

WE THINK IT'S IMPORTANT !

Sincerely,

Mrs. Jerry Bonin
MRS. JERRY BONIN
Local Campaign Coordinator

State

SETH C. GALBRAITH, JR.
ELECTRICAL ENGINEER
15035 HEMLOCK POINT ROAD
CHAGRIN FALLS, OHIO 44022

September 27, 1974

President Gerald R. Ford
1600 Pennsylvania Avenue
Washington, D.C.

C/S 2A

Dear Mr. Ford:

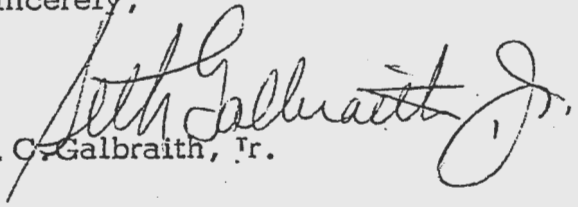
Today, Mrs. Maureen Dunn appeared on NBC television on behalf of her organization for men Missing in Action. For some time I have been disturbed at our Government's lack of aggressive action in this area, and if you lead us into a state of mind in which Americans can condone the abandonment of their fellows to the enemy, you have done us a dis-service indeed.

I blushed with humiliation and embarrassment at the spectacle of this brave girl pleading with us for some help in her plight.

In view of all the assorted characters you have had time for since your inauguration, this situation would hardly seem to be excusable. (I cannot even bring myself to mention the amnesty matter).

In closing, if you are too busy to have any time for this gracious lady, you are indeed TOO BUSY.

Sincerely,


S. C. Galbraith, Jr.

SCG:b

J. JAMES EXON
GOVERNOR



STATE OF NEBRASKA

October 2, 1974

The Honorable Gerald Ford
President of the United States
The White House
Washington, D. C.

Dear Mr. President:

First, let me respectfully call your attention to the attached letter from the Arnold Air Society which is self-explanatory. A few pictures are provided of the recent commemorative event referred to in the letter.

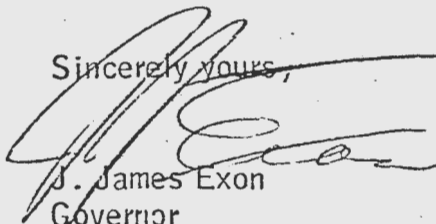
On behalf of the MIAs and unaccounted-for prisoners of war, I am proud to add my name in a further appeal for immediate action for all of these men.

I know that you share our concern in this area.

I am sure that we will all concur that possibly we have our priorities somewhat mixed up in America today. We are in the process of granting amnesty to draft evaders and deserters even before we have forced the enemy to account for these men.

I respectfully appeal to you to give priority consideration to the requests and suggestions made in my letter herewith and the attached letter from the Arnold Air Society.

Sincerely yours,



J. James Exon
Governor

JJE:fw

encl

JF
OCT 7
RECD



1 Oct 74

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We, as members of Arnold Air Society, a nationally recognized honorary service organization of Air Force ROTC cadets, would like to solicit your aid.

encl
In the aftermath of the Vietnam conflict, over 1,000 American servicemen are still listed as Missing in Action. Also, 54 men are still listed as Prisoners of War by our Government, who were known to be captured, have neither returned nor been listed as dead by the Communists.

Arnold Air Society is concerned about this situation, and is trying to call public attention to the uncertain fate of these men and the plight of their families. North Vietnam has shown itself to be responsive to public opinion.

Last April, at the Veteran's Rest Stop on Interstate 80, we planted a Freedom Tree, dedicated to the memory of all MIA's and honoring a Lincoln man missing in action, Larry A. Zich. Special guests included Lt. Governor Frank Marsh, representing Governor Exon, George Koster, Executive Secretary of the State Highway Commission, Major Ernest Phillip, a POW debriefer from Offutt AFB, and Larry Zich's wife and parents. Enclosed are three photographs of the event. The MIA issue received great publicity from this project, and also from Governor Exon who proclaimed that week "MIA Awareness Week".

However, we are painfully aware that much, much more is needed. You, as President of the United States, can help the families of these men discover the truth about their loved ones. We ask you to request legislation from Congress dealing with this issue, to help inform the world public about this tragic situation, to urge all countries having diplomatic relations with North Vietnam to help resolve this problem, or to take other measures you see as appropriate.

The MIA - POW cause has not changed since the peace treaty; only the numbers have changed. Let us show the world that we still care about our missing servicemen.



pg. -2-

On behalf of the families of these men, thank you and God bless you.

Respectfully yours,

Lynn P. Hineman

LYNN P. HINEMAN, Commander
Arnold Air Society

Eugene M. French

EUGENE M. FRENCH
Operations Officer

Bruce M. Wurster

BRUCE M. WURSTER
Information Officer

10/29

THE WHITE HOUSE
WASHINGTON

500

Jack March

We'd like to do something
if it will help convince
the families we are doing
every thing that can be done.
We should talk,

7/10

→ (171)

MIA/POW




MEMORANDUM

THE WHITE HOUSE
WASHINGTON
October 25, 1974

Jed M.

MEMORANDUM FOR THE PRESIDENT

FROM: MAJOR GENERAL LAWSON 
SUBJECT: Update on MIA/POW Activities

On 2 September 1974, you asked to be kept fully informed regarding the activities and requests of the various MIA/POW interest groups.

Since that date, we have continued to receive a substantial volume of mail, telegrams and telephone calls regarding this subject. We have also received some specific requests for actions and meetings with you. The general thrust of these communications is that current actions and programs of the Government are not producing the desired objectives -- "the proper accounting of the missing and the return of the remains of the dead." -- in accordance with the Paris Peace Agreement.

As I indicated to you in our last discussion, the MIA/POW families were very concerned that the amnesty program was initiated prior to the realization of what they refer to as "an honorable resolution of the MIA/POW issues." The families were counselled that the issue of amnesty and MIA/POW should not be joined -- indeed, that it was counter-productive to attempt to get support for the MIA/POW program by demonstrating against the amnesty effort. MIA/POW demonstrations against amnesty peaked within two days after your announcement of the establishment of the Amnesty Commission. Your statement following the release of Mr. Emmet Kay muted some of the protest. Perhaps more important, the members of the MIA/POW governing body began an organized search for a responsible means of illuminating their issue. After careful and intense study, they have now come forward with a request for the establishment of a "Presidential MIA/POW Task Force", modeled along the lines of the Presidential Amnesty Commission.

I have attached a copy of the formal request for the establishment of the task force, which was forwarded to me by the National League of Families. They feel that such a group could do much to review, clarify, and coordinate current MIA/POW activities and perhaps could develop recommendations which would realize some measure of success. They cite a number of issues which require a coordinated effort between the various departments of the Executive Branch (i. e., the potential use of foreign trade restrictions, the legal requirements for status change, and the development of a program designed to bring pressure against those governments currently obstructing efforts to obtain acceptable accountings.) The MIA/POW committees are pressing hard for immediate action on the proposal. On November 11, they plan a "Gigantic Display of Concern" here in Washington, where they hope to achieve some publicity for their requests. They have indicated that they would appreciate hearing your views on this subject, in addition to your evaluation of the entire MIA/POW issue.

We have completed a series of meetings with members of the League of Families, Congress, the Departments of State and Defense, and various other interested individuals. As might be expected, the task force proposal is viewed with mixed reactions. Of course, the families are very optimistic about its value and, in addition, some members of Congress have already issued public announcements calling for adoption of the proposal. While State and Defense have indicated an interest, they have also advised that certain aspects of the program will require careful study prior to implementation (i. e., the scope of the charter given to the organization, the duration of the study effort and the selection of the membership of the task force group.) A steering group is now examining the task force proposal. You will be advised of the results of that review, along with amending comments and/or recommendations. Subsequent to that action, and with your concurrence, a meeting with the Board of the National League of Families is being considered.



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 628-6811

September 30, 1974

PRESIDENTIAL TASK FORCE -- POW/MIA

I. Why a Task Force?

The responsibility for obtaining a successful resolution of the POW/MIA issue should be centralized. Previously the issue has been a concern of the Executive Branch including State Department, Defense Department, and the Congress. It has lacked the cohesiveness that a commission directly responsible to the President would have. Therefore, it seems desirable--even imperative--that a Presidential Task Force be established.

II. Make Up of Task Force

Of course the President would determine the make up. But, because we so fervently desire an acceptable determination of the fate of our men, we are bold enough to make these suggestions:

1. Someone from the Executive Branch to chair the commission.
2. Senate representation.
3. House representation.
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6. National League of Families representation.
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III. Purpose, Objectives, and Responsibilities of Task Force

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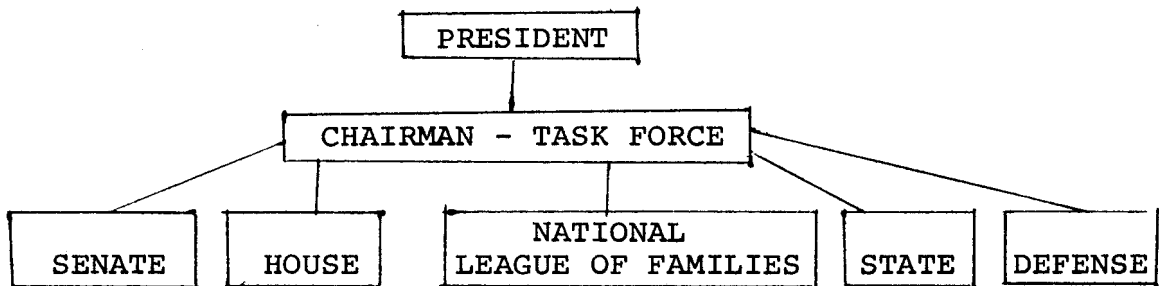
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File
Pow/MIA

THE WHITE HOUSE
WASHINGTON

POW
MIA
M

November 8, 1974

MEMORANDUM FOR: DICK CHENEY
FROM: JERRY JONES
SUBJECT: Update on MIA/POW Activities

The attached memo from General Lawson to the President has been upstairs for a couple of weeks, and the Aide's Office has called me to see if we can get it back down with a decision.

I, frankly, think that the decision regarding a meeting can be made by Don rather than bothering the President with it.

*Jerry
runs by Jack Marsh.
I believe the Pres. indicated he
was willing to consider a task
force or commission if it would serve
to convince the families that everything
possible is being done.*



File

October 18, 1974

MEMORANDUM FOR THE PRESIDENT

FROM: MAJOR GENERAL LAWSON

SUBJECT: Update on MIA/POW Activities

On 2 September 1974, you asked to be kept fully informed regarding the activities and requests of the various MIA/POW interest groups.

Since that date, we have continued to receive a substantial volume of mail, telegrams and telephone calls regarding this subject. We have also received some specific requests for actions and meetings with you. The general thrust of these communications is that current actions and programs of the Government are not producing the desired objectives -- "the proper accounting of the missing and the return of the remains of the dead." -- in accordance with the Paris Peace Agreement.

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Approve _____

Disapprove _____

Discuss _____



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

1608 K STREET, N.W., WASHINGTON, D. C. 20006 (202) 623-6811

September 30, 1974

PRESIDENTIAL TASK FORCE -- POW/MIA

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thinking and rethinking, but the following might be used as a base which may be altered and enlarged upon as we proceed towards the goal.

The Task Force, as an arm of the government and directly responsible to the President should:

2.1 Seek ways to bring world-wide attention to the fact that the government of North Vietnam and the leaders of the Provisional Revolutionary Government (Viet Cong) are not abiding by international agreements which were witnessed by and attested to by other governments.

2.2 Use the United Nations and other world forums to call upon other governments of the world that are signatory to the Geneva Convention, to demand publicly and through official government channels that the DRV and PRG abide by international agreements.

2.3 Observe closely the coalition government in Laos and use all the means available to us to get cooperation and assistance in obtaining an acceptable accounting and return of all POW's according to the Laotian protocols.

2.4 Use all available means to obtain an acceptable accounting and return of all POW's who may be in areas outside of North Vietnam, South Vietnam, and Laos. These would include but not be limited to Red China and Cambodia.

2.5 Study the possibility of applying economic pressure in obtaining an acceptable accounting, not only to North Vietnam but to any country that has not to our government's satisfaction pressured the DRV, PRG, Pathet Lao, and Khmer Rouge to honor their commitments.

2.6 Send a high ranking U. S. envoy to Southeast Asia to go from capital to capital (from Saigon to Phnom Penh to Vientiane to Hanoi to Peking) to try to gain entry into areas presently controlled by Communists for our J. C. R. C. Team, the International Red Cross, or neutral countries, so such teams could search out crash and incident sites, talk with natives, and try to obtain the honorable accounting we desire.

2.7 Seek out governments from neutral countries that would volunteer to send in teams to inspect crash and incident sites if such arrangements could be negotiated.

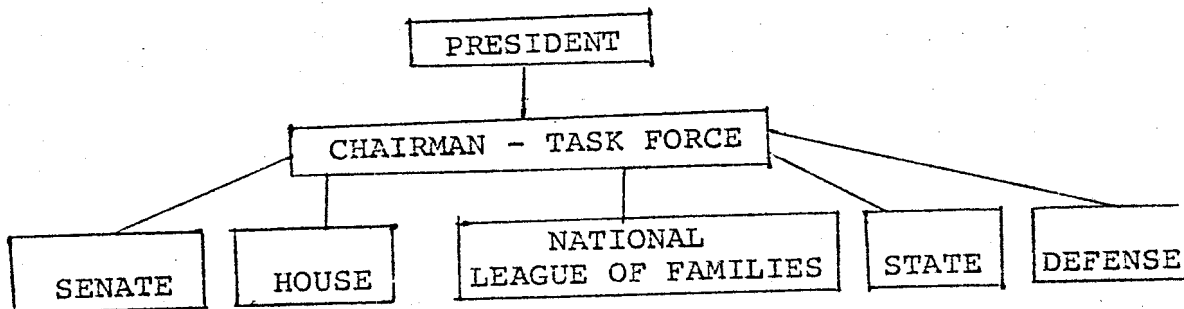
2.8 Work closely with our J. C. R. C. Team, the Four Party Joint Military Team, and other existing agencies engaged in Southeast Asia that could help in the POW/MIA issue.

IV. Funding

The Task Force should be specially funded for a given period of time--say four months. During this time the Task Force would exert maximum effort in developing and executing a plan. The 120 days would end about January 27, 1975, which is the second anniversary of the signing of the Paris Peace Agreements.

V. Reporting

The Task Force should issue reports periodically, the first report to be issued within one month from its organizational meeting and monthly thereafter or more frequently if deemed necessary. The final report should be given approximately January 27, 1975, at which time the commission could assess the situation and recommend that the Task Force be disbanded or continued depending on the situation at that time.



ECM:dib

November 16, 1974

MEMORANDUM TO: GENERAL BRENT SCOWCROFT
FROM: JOHN O. MARSH, JR.
SUBJECT: POW/MIA's

As you are well aware, the concern over the POW/MIA situation is still unabated, with numerous overtures to White House officials requesting action or assistance of various types. The current effort centers on a suggestion that the President establish a commission, somewhat similar to the Clemency Board, to deal with this problem. In his Veterans Day speech at Arlington National Cemetery the President reiterated his concern about those who are still carried as MIAs, which implied a continuing effort on this difficult matter. I know that you have reservations about where a Presidential commission may lead us, but I would point out that DOD reports that Congressional momentum seems to be building on this subject, with the possibility that Congress may adopt legislation creating a statutory commission.

In light of this, his own personal interest, and also the fact that he may be queried by press and others on his return from the Far East, I offer the suggestion that the President may wish to raise the matter with Mr. Brezhnev to see if the Soviet Union might offer any assistance or suggestions as to how to cause Hanoi to be more responsive.



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JAN 14 1975

THE WHITE HOUSE

WASHINGTON

January 13, 1975

MEMORANDUM FOR: GENERAL LAWSON
FROM: DR. MARRS

This copy is for your files.

There seems to be, among MIA families, an almost unanimous viewing of a Committee or Commission as a desirable means of reassessing the MIA situation. From a physicians point of view such perception is often effective therapy. There is also value, on occasion, in using a consultant to contribute wisdom, share responsibility or to give patients added confidence.

Incidentally, this is the first expression of appreciation I have heard in regard to the "efforts being made by the Ford Administration to resolve the problems of POW-MIAs in Southeast Asia." I assume she is referring to your proposal of a Committee and the pledge of the President in his Arlington speech.

I would highly recommend that there be a ceremony of the type Ann Howes proposes in the last sentence of her penultimate paragraph, if you get State Department (NSC) concurrence in the Committee idea.

Enclosure

cc: ✓ Mr. Marsh
Mrs. Hartmann
Mrs. Anderson

January 13, 1975

Dear Ms. Howes:

Thank you. Your thoughtful views were appreciated.
I hope your letter can be used productively.

May the New Year bring peace to you and yours.

Sincerely,

Theodore C. Harris
Special Assistant to the President

Ms. Ann Howes
President
Forgotten Americans Committee
of Kansas, Incorporated
2233 South Wichita
Wichita, Kansas 67213

(FACK)

2233 South Wichita
 Wichita, Kansas 67213
 (316) 267-9176

18 December 1974

Dr. Theodore Marrs
 Executive Office Building
 Washington, D. C. 20500

Dear Dr. Marrs:

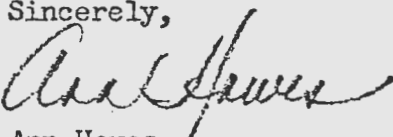
I sincerely appreciated the time you spent with me on 12 December 1974 and I am further encouraged by the efforts being made by the Ford Administration to resolve the problems of the POW-MIAs in Southeast Asia.

I was pleased to hear your evaluation of the MIA Commission and also feel it would be a valuable tool in reassessing the American efforts to date and determining new plans of action which would be reported to the nation and the government. You have my support for such a Commission and, if there is any way I can assist with this effort, I sincerely hope you will call on me.

As I stated to you on 12 December, it is my hope that the MIA Commission establishment can be announced by President Ford on the Second Anniversary of the signing of the Vietnam Agreement and that the families can be present at the White House to participate in the announcement. Such a statement on the Second Anniversary would notify the world that the United States considers the POW-MIA issue a priority and having the families present would certainly help to bridge the gap that has existed between the families and the government for the past two years. In order to resolve this issue, the families and the government will have to present a united front to the world community, especially to the North Vietnamese. Unfortunately, more time is now being spent fighting one another and we have lost ground and time in the meantime. I am convinced that the inclusion of the families in the announcement, not just family representatives, would be very beneficial to our mutual efforts.

Again, I wish to thank you for meeting with me on 12 December 1974 and for arranging the meeting with General Lawson. I hope you also felt our meeting was beneficial.

Sincerely,


 Ann Howes
 President

Sister-in-law, Presumed POW-SV
 10 January 1970

STILL MISSING--POWs and MIAs

*Feb 27th
 or 28th*

1/17

4:10 p. m.

THE WHITE HOUSE
WASHINGTON

Jack --

General Lawson advises that, after a two-hour meeting, Brent Scowcroft is "just about on board". He will stop up to see you sometime Saturday morning on his scheduling plans.

Russ --

THE WHITE HOUSE
WASHINGTON

Snowcraft told them
to leave it alone -
there is no reason
to keep it going -
Hissinger

Rumsfeld has
said no already -



THE WHITE HOUSE

WASHINGTON

Grant has told
Gully it was a
lead issue —

1. Any suggested
names by March - Marris, Baroody
with quotes of Jerry
Jones prob
also -
MTR -

1 1/2 ago - organized search - want some
means to get final accty. - and success
to say "this is the end" - The idea of
a Commission came up, especially ~~in~~ the
advice of the Clemency Board.

Lawson ~~wants to~~ has beaten it
to death w/ all folks - has gotten
Brent Scoerft to the point where
~~it is~~ it is to go "in a little
while" -

Wants to go to Pres. by Fri -

Scenario -

~~Fri - Noon~~
Mon - 27 Jan



25-27 Jan - 300 families will be
in D.C. -

Has talked to Muddy Jerry Warren
etc. - they think this will at least
neutralize the opposition effort -

Has big plan - East Room - Pres -
will read Exec. Order -

Getting put together -

- 1) DOD
- 2) Baroody
- 3)

Scoerft lieutenant - ^{Lawson} ~~he~~ will talk
w/ Scoerft again -

MEMORANDUM FOR THE PRESIDENT

FROM: MAJOR GENERAL LAWSON

SUBJECT: Designation of a Presidential Board
for MIA Matters

For several months the MIA families have been searching for a responsible means of realizing their objectives. After careful and intense study, they have come forward with a request for the establishment of a "Presidential MIA Board", modeled along the lines of the Presidential Amnesty Commission.

Upon receipt of the request, a study group was formed to evaluate the proposal. We have now completed a series of meetings with members of the National League of Families, Congress, the Departments of State and Defense, and various other interested individuals. From these discussions, the following observations were formulated:

(1) Family members are generally optimistic about the potential value of such a group. Although they are realistic enough to understand that a Board cannot perform "acts of magic," they do believe that the combined power of the legislative and executive branches of government united under a Presidentially directed organization might achieve some measure of success. At the minimum, they believe the activities of the Board would

focus international attention upon the failure of the North Vietnamese to comply with the provisions of the Paris Peace Accords.

(2) Members of Congress have already issued statements suggesting creation of either a Presidential Board or a Congressional Committee to "investigate and make recommendations regarding the conduct of the MIA program." Congressional interest in the MIA issue has increased in the past six months. Restrictive amendments to the Foreign Trade Bill and the Military Construction Bill on this subject were initiated and only narrowly missed enactment. Both State and Defense have registered concern for the impact which such amendments could have had upon existing programs.

(3) The Supreme Court decision which upheld the lower courts' actions in the McDonald versus McLucas case (permitting the redesignation of certain MIA to that of Presumptive Finding of Death [PFOD]) gives the green light to service secretaries to hold independent hearings and reviews on all MIA cases immediately if they so desire. This issue is one of the most controversial aspects of the entire MIA program. Currently, redesignation hearings are only held when requested by a family member. Some members (primarily wives) would privately prefer to have the redesignation program proceed - but, they cannot bring themselves to be the initiating factor. Others-----

(primarily parents), have and will continue to use every possible means of delay to obstruct redesignation action. By law, this action cannot be held up much longer. A Board would be a most useful means to publicly illuminate all aspects of this very difficult question, and to develop recommendations for the resolution of the matter.

It is recognized that there are certain inherent dangers associated with the establishment of Presidentially appointed commissions, in that occasionally their recommendations tend to be narrowly focused and cannot be implemented when viewed in the context of national policy. However, in this case, the question does not appear to be - "Will there be a Board?", but "Who will initiate a Board?" The mood of Congress is quite clear. If the Executive Branch does not initiate action fairly quickly, a Congressional Committee will almost certainly be appointed to accomplish the study. Neither the families nor the representatives of Defense or State Departments favor that action. After serious considerations of all aspects of the current situation, the study group has concluded that the formation of a Presidential MIA Board is timely and would serve an extremely useful function in the resolution of Vietnam era MIA matters. The Department of State and the Department of Defense

concur with this recommendation.

NOTE:

An Executive Order establishing the MIA Board is attached at TAB A.
A listing of potential Board members is located at TAB B.

The second anniversary of the signing of the Paris Peace Accords is January 27, 1975. This date has assumed great significance among all MIA groups. A large national meeting is planned here in Washington beginning January 25 and ending with a "Candle-Light Vigil" on January 27, 1975. It is recommended that you support these activities by issuing a proclamation declaring January 27, 1975 as "National MIA Awareness Day" (See TAB C). This proclamation should be issued on January 25 in order to permit appropriate planning to occur. Further, it is recommended that you meet publicly with the Family members on January 27, 1975 in order to sign the Executive Order creating the Presidential MIA Board. Approximately 300 family members and Congressmen can be expected to attend such a signing ceremony.

APPROVE

DISAPPROVE

LET'S DISCUSS



EXECUTIVE ORDER

Establishing a Board on U.S. personnel missing or unaccounted for in Southeast Asia.

By virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, I hereby order as follows:

Section 1. Establishment of the Board. There is hereby established in the Executive Office of the President a board of _____ members, which shall be known as the President's MIA Board. The members of the board shall be appointed by the President, who shall also designate its Chairman.

Section 2. Functions of the Board. The Board shall examine and review the efforts that have been made to obtain an accounting for U.S. personnel missing or unaccounted for in Southeast Asia, and shall recommend to the President on means to obtain an honorable resolution of this subject. Pursuant to the realization of this objective, the following areas of interest are identified as starting points for the Board's study:

2.1. Review and evaluate actions of the Executive Branch of government in support of the national program on U.S. personnel missing or unaccounted for in Southeast Asia.



2.2. Describe and document the failure of the communist authorities to account for the missing and to return the remains of the dead, as provided in the Vietnam and Laos Agreements.

2.3. Consider what further actions can be taken to obtain information on U.S. personnel missing or unaccounted for in Southeast Asia, including the return of any Americans who may still be alive.

2.4. Explore means by which search efforts can be undertaken for crash and incident sites and other types of information on U.S. personnel missing or unaccounted for in communist controlled areas of Southeast Asia.

2.5. Review existing laws, regulations, and procedures on U.S. personnel missing or unaccounted for in Southeast Asia to insure their current suitability and effectiveness, and, if appropriate, to recommend changes and deletions thereto.

Section 3. Compensation of Board Members. Each member of the Board, except any member who then receives other compensation from the United States, may receive compensation for each day he or she is engaged upon the work of the Board, not to exceed the daily rate now or hereafter prescribed by law for persons and positions in GS-18, as authorized by law (5 U.S. C. 5703) for persons in the government service employed intermittently.

Section 4. Funding of the Board. Necessary expenses of the Board may be paid from the Unanticipated Personal Needs Fund of the President, or from such other funds as may be available.

Section 5. Administrative Services and Support for the Board.
Necessary administrative services and support may be provided the Board by the General Services Administration on a reimbursable basis.

Section 6. Informational and Technical Support of the Board.
All departments and agencies in the Executive branch are authorized and directed to cooperate with the Board in its work, and to furnish the Board all appropriate information and assistance, to the extent permitted by law.

Section 7. Tenure of the Board. The Board shall submit its final recommendations to the President not later than June 30, 1975, at which time it shall cease to exist.

D R A F T

Announcing the designation of January 27, 1975 as National MIA Awareness Day.

By the President of the United States of America

A Proclamation

January 27, 1975 marks the second anniversary of the signing of the Paris Agreement on Ending the War and Restoring the Peace in Vietnam. Although that Agreement contains specific obligations on accounting for the missing and the return of the remains of the dead, the communist authorities have failed to provide information on Americans missing in Southeast Asia, or to complete the return of the remains of our dead. Over 2400 Americans are still unaccounted for -- some 900 of them still listed as missing, the remainder declared dead with their bodies never recovered. The families of these men continue to live with the anguish of uncertainty about the fate of these loved ones.

NOW, THEREFORE I, Gerald R. Ford, President of the United States of America, do hereby designate Monday, January 27, 1975 as National MIA Awareness Day, a day dedicated to the many Americans who remain missing or unaccounted for in Indochina, and to their families. I call upon all Americans to join in this occasion

in voicing the clear, continuing commitment of the American people and their government to seek the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died. As an expression of that commitment, I have this day ordered the establishment of a Presidential Board on U.S. personnel missing or unaccounted for in Southeast Asia. It shall be the responsibility of this board to review all aspects of our national program on this subject and to develop and make recommendations for achieving our national goal as previously cited -- "the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died."

IN WITNESS THEREOF, I have hereunto set my hand this twenty fifth day of January, in the year of our Lord nineteen hundred seventy-five and of the Independence of the United States of America the one hundred ninety ninth.

THE WHITE HOUSE

WASHINGTON

December 16, 1974

MEMORANDUM FOR: GENERAL LAWSON

FROM: DR. MARRS

Dick - the attached letter from Ann Mills Griffiths is characteristic of the thinking of a number of families of MIAs. Few have been quite as reserved however.

The establishment of a committee would be a welcome indicator of interest to all - and announcement of such before Christmas would be particularly appreciated. By the way, December 27 or 28th is date considered as MIA "anniversary."

As you know, prior to my opportunity to sample the sincerity and depth of pained feelings in regard to the Clemency Board I did not support such a Committee. Now I am convinced it is a moral obligation.

If there is any way I can be of assistance let me know.

I still cannot guarantee specific recommendations or whitewash - and don't expect the latter. Good selection of the committee can preclude a disaster type product.

Enclosure

cc: ✓ Mr. Marsh
Mr. Buchen
Mr. Baroody
General Scowcroft

*R - After a meeting of your
Marrs
Lawson
J.M.
Brent
P. W. H. H. H.
Ted
M*



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA
Mrs. Ann Griffiths, State Coordinator, Southern California
6575 Christine Circle, Buena Park, CA 90620

November 14, 1974

Dr. Theodore Marrs
Special Assistant to the President
The Whitehouse
Washington, D.C.

Dear Dr. Marrs:

I wanted to thank you for taking the time to discuss what I know to be our mutual concern of obtaining the accounting. I greatly appreciated our very frank discussion of this situation and related matters.

In attempting to convince the families that bitterness should not be aimed at our current President, I have to say that most families feel President Ford is the only one who actually can help us obtain the information we must have in order to feel any real peace within ourselves. It really would not matter who occupied the presidency, the frustration would still be vented upon that person. They would consider it irrelevant that President Ford was not initially to blame, only that he can help us now and has not yet acted with the strength and determination they feel is mandatory.

I share your view that there is no person who can negotiate from a position with nothing to offer. The leverage must be there. What can we do to help our leaders gain the leverage? We must have suggestions before we can attempt to help. So many of the families have already waited so long that their patience has worn quite thin. Almost to a member, the families were relieved and happy when Mr. Ford became the President and they all shared the expectancy that now, finally, something would be done. It is imperative that we have an all-out effort for a solution immediately, and I know you certainly share the urgency we all feel.

We anxiously await further word from General Lawson on the formation of a special committee of qualified persons who might be able to advise the President in a positive manner. Until then I know we must maintain patience in spite of the impatience which often engulfs us. Again, thank you for your concern, efforts and time.

Sincerely,

Ann Mills Griffiths
(714) 826-3110 or (714) 893-7531

THE WHITE HOUSE
WASHINGTON

January 20, 1975

MEMORANDUM FOR: GENERAL LAWSON
FROM: PHILLIP AREEDA PA
SUBJECT: MIA Presidential Board

There is no legal obstacle to the creation of the proposed board. Of course, any Executive Order or Proclamation must be reviewed in OMB and the Justice Department in accord with the usual procedure.

I do believe, however, that it is presumptively unsound for the President to create non-governmental boards to investigate the workings of the Executive Branch. To be sure, there are exceptions, such as the recent commission looking into the CIA. I do not see a similar need here. I do not see why the Executive Branch itself cannot do all that needs to be done in this area.

I understand, finally, that the Unanticipated Personnel Needs Fund is more than exhausted by the Clemency Board and by the CIA Commission.

THE WHITE HOUSE

WASHINGTON

January 20, 1975

M

MEMORANDUM FOR THE PRESIDENT

FROM

MAJOR GENERAL LAWSON

SUBJECT

Designation of a Presidential Board
for MIA Matters

For several months the MIA families have been searching for a responsible means of realizing their objectives. After careful and intense study, they have come forward with a request for the establishment of a "Presidential MIA Board", modeled along the lines of the Presidential Amnesty Commission.

Upon receipt of the request, a study group was formed to evaluate the proposal. We have now completed a series of meetings with members of the National League of Families, Congress, the Departments of State and Defense, and various other interested individuals. From these discussions, the following observations were formulated:

(1) Family members are generally optimistic about the potential value of such a group. Although they are realistic enough to understand that a Board cannot perform "acts of magic," they do believe that a Presidentially directed organization might achieve some measure of success. At the minimum, they believe the activities of the Board would focus international attention upon the failure of the North Vietnamese to comply with the provisions of the Paris Peace Accords.

(2) Members of Congress have already issued statements suggesting creation of either a Presidential Board or a Congressional Committee to "investigate and make recommendations regarding the conduct of the MIA program." Congressional interest in the MIA issue has increased in the past six months. Restrictive amendments to the Foreign Trade Bill and the Military Construction Bill on this subject were initiated and only narrowly missed enactment. Both State and Defense have registered concern for the impact which such amendments could have had upon existing programs.

(3) The Supreme Court decision which upheld the lower courts' actions in the McDonald versus McLucas case (permitting the redesignation of certain MIA to that of Presumptive Finding of Death [PFOD] - gives the green light to service secretaries to hold independent hearings and reviews on all MIA cases immediately if they so desire. This issue is one of the most controversial aspects of the entire MIA program. Currently, redesignation hearings are only held when requested by a family member. Some members (primarily wives) would privately prefer to have the redesignation program proceed - but, they cannot bring themselves to be the initiating factor. Others (primarily parents), have and will continue to use every possible means of delay to obstruct redesignation action. By law, this action cannot be held up much longer. A Board would be a most useful means to publicly illuminate all aspects of this very difficult question, and to develop recommendations for the resolution of the matter.

The study group recognized that there are certain inherent dangers associated with the establishment of Presidential Boards.

(1) Some recommendations of similar groups have tended to be narrowly focused and could not be implemented when considered in the context of total national policy. (This is a potential problem in this case since one of the most frequent proposals from the MIA community is the adoption of foreign trade restrictions designed to force access for search and identification teams into North Vietnam and other communist occupied areas.)

(2) The recommendations of Presidential Boards seldom satisfy everyone concerned with the issue. In this case, it is the study group's conclusion that approximately 80% of the family members will be satisfied with the recommendations of the MIA Board, primarily because they know that their issue was carefully considered by the very top leadership of the nation.

(3) The news media has sometimes postulated that the very act of establishing a "Presidential Group", in itself, implies the existence of a serious problem.

Despite the dangers cited above, the study group's final conclusion was that the formation of a Presidential MIA Board is timely and would serve an extremely useful function in the resolution of Vietnam era matters.

This recommendation was primarily influenced by the following observations:

(1) The programs and actions taken on behalf of the American MIA and Unaccounted for in Southeast Asia have been recognized by all nations as models of concern, interest and coordinated governmental action. These programs should be reviewed, analyzed and documented. Family members do not have a concise, complete view of the total actions taken by their government in support of the POW's, MIA's, and unaccounted for personnel. This review would do much to mute those charges which have been made that "the government doesn't care."

(2) There is strong evidence that the question is not - "Will there be a Board?", but, "Who will initiate the Board?" The mood of Congress is quite clear. If the Executive Branch does not initiate action within the immediate future, a Congressional committee will almost certainly be appointed to accomplish the study. Neither the families nor the representatives of the Defense or State Departments favor that action.

(3) As a result of modern communications and the extended duration of the Vietnam Conflict, the families of the POW, MIA and unaccounted for personnel became acquainted and formed organizations for mutual support. These groups have not dissolved as they have in the aftermath of previous conflicts. Indeed the principal organizations seem to be stronger than ever. They are well funded, have strong leadership, and they are now achieving the autonomy of purpose which they seemed to lack in the past. During the recent holiday season, over 65,000 Christmas cards were addressed to the MIA's and mailed to various government agencies, "to be delivered to addressee at current location." Marches and demonstrations are becoming more vocal and demonstrative. They have come to believe that only in this manner can they achieve their objectives. It is the considered, collective judgement of the study group that these groups will not "go away" without an overt action on the part of the government.

(4) The responsible family members look to the establishment of the Presidential Board as the "Beginning of the End" to their long vigil. Certainly they do hope that the activities of the Board will focus international attention on their problem and will result in a relaxation of restrictions on search and identification team movements. However, none of them believe that military force could or should be employed to force entry, just as the thought of additional Americans being killed while on search

and identification missions is especially repugnant to them. The families' concept of a Presidential Board is an organization which will review and document the past, assess the present and make responsible recommendations for the future. They believe an independent Board would be less bound to the past than a similar group made up of administration officials, congressmen, or even family members. While the thought is never openly stated, it is evident that more than anything the families want this matter to be brought to a conclusion. A final report of a Presidential Board represents the end that they seek. In their minds, the establishment of a Presidential Board is their proof that the country did care - that they as a group had succeeded in getting their issue to the very top, and that the final resolution of their problem had been reviewed by the President himself. Thus, the imperative for a "Presidential Board." Anything less, in their eyes, means one more step that could and therefore must be taken. Most importantly, the study group is convinced that the majority of the families have privately agreed that the findings and recommendations of the Board will represent the last word. If the Commission reports to the President that "All has been done that can be done," these family members are ready to disband, and return to their lives.

For these reasons, the Study Group recommends the establishment of a Presidential MIA Board. The Departments of State and Defense concur with this recommendation.

The second anniversary of the signing of the Paris Peace Accords is January 27, 1975. This date has assumed great significance among all MIA groups. A large national meeting is planned here in Washington beginning January 25 and ending with a series of events commemorating the anniversary on January 27, 1975. It is recommended that you support these activities by meeting in the Oval Office with the Board of Governors of the National League of Families, and issuing a proclamation declaring January 27, 1975 as "National MIA Awareness Day". This proclamation should be issued on January 25, in order to permit appropriate planning to occur around the nation. If you agree with the designation of a Board, it is further recommended that you sign the Executive Order creating the Board at this time. Approximately 16 family members can be expected to attend such a signing ceremony.

APPROVE _____

DISAPPROVE _____

LET'S DISCUSS _____

Attachments

- TAB A - Executive Order establishing MIA Board
- TAB B - Listing of Potential Board Members
- TAB C - Proclamation declaring January 27, 1975
as "National MIA Awareness Day"

EXECUTIVE ORDER

Establishing a Board on United States personnel missing or unaccounted for in Southeast Asia.

By virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, I hereby order as follows:

Section 1. Establishment of the Board. There is hereby established in the Executive Office of the President, a board of eight members, which shall be known as the President's MIA Board. The members of the Board shall be appointed by the President, who shall also designate its Chairman.

Section 2. Functions of the Board. The Board shall examine and review the efforts that have been made to obtain an accounting for United States personnel missing or unaccounted for in Southeast Asia, and shall make recommendations to the President regarding the future conduct of this vital program. Pursuant to the realization of this objective, the following areas of interest are identified as starting points for the Board's study:

2.1. Review and evaluate actions of the Executive Branch of government in support of the national program on United States personnel missing or unaccounted for in Southeast Asia.

2.2. Describe and document the failure of the communist authorities to account for the missing and to return the remains of the dead, as provided in the Vietnam and Laos Agreements.

2.3. Consider what further actions can be taken to obtain information on United States personnel missing or unaccounted for in Southeast Asia.

2.4. Explore means by which search efforts can be undertaken for crash and incident sites and other information on United States personnel missing or unaccounted for throughout Southeast Asia.

2.5. Review existing laws, regulations, and procedures on United States personnel missing or unaccounted for in Southeast Asia to insure their current suitability and effectiveness, and, if appropriate, to recommend changes and deletions thereto.

Section 3. Compensation of Board Members. Each member of the Board, except any member who then receives other compensation from the United States, may receive compensation for each day he or she is engaged upon the work of the Board, not to exceed the daily rate now or hereafter prescribed by law for persons and positions in GS-18, as authorized by law (5 U.S.C. 5703) for persons in the government service employed intermittently.

Section 4. Funding of the Board. Necessary expenses of the Board may be paid from the Unanticipated Personal Needs Fund of the President, or from such other funds as may be available.

Section 5. Administrative Services and Support for the Board. Necessary administrative services and support may be provided the Board by the General Services Administration on a reimbursable basis.

Section 6. Informational and Technical Support of the Board. All departments and agencies in the Executive branch are authorized and directed to cooperate with the Board in its work, and to furnish the Board all appropriate information and assistance, to the extent permitted by law.

Section 7. Tenure of the Board. The Board shall submit its final recommendations to the President not later than June 30, 1975, at which time it shall cease to exist.

THE WHITE HOUSE
January 25, 1975

POTENTIAL CHAIRMAN OF THE BOARD

The study group was unanimous in its recommendations that Ambassador Bunker be nominated for selection as Chairman of the Board. Because of the potential workload associated with the position, Mr. Bunker was contacted and indicated tentatively that he would serve as Chairman of the Board -- if such a Board were established and if he was appointed.

POTENTIAL BOARD MEMBERS

The list of potential Board members was developed after careful review of capabilities and demonstrated public service. None of these individuals has been contacted regarding service on the Board, however, each has indicated a willingness to serve in support of this matter in the past. With your approval, contact will be established.

POTENTIAL BOARD MEMBERS

HONORABLE ELLSWORTH BUNKER
Ambassador-at-Large
Department of State
22nd and C Streets, N. W.
Washington, D. C. 20520

Mr. Frank T. Cary
Chairman of the Board
International Business Machines
Armonk, New York 10504

Lieutenant General Charles A. Corcoran
United States Air Force (Retired)
3819 Prince William Drive
Fairfax, Virginia 22003

Mr. Charles Duncan
Dean, Howard University Law School
2935 Upton Street, N. W.
Washington, D. C. 20008

Mr. George Elsey
President, American Red Cross
1730 E Street, N. W.
Washington, D. C. 20006

Lieutenant General Alvan C. Gillem II
United States Air Force (Retired)
2408 Belcher Drive
Montgomery, Alabama 36111

Mr. Jerome Holland
President, Hampton Institute
Suite 1490
270 Park Avenue
New York, New York 10017

Mr. Gilbert Jones
Vice Chairman of the Board
International Business Machines
Armonk, New York 10504

Mr. Tom Jones
President and Chairman of the Board
Northrop Corporation
1800 Century Park East Century City
Los Angeles, California 90067

Dr. George Kozmetsky
Dean, Graduate School of Business
University of Texas BEB 203
Austin, Texas 78712

Mrs. Oswald B. Lord
Formerly Ambassador to Human Rights Commission
770 Park Avenue
New York, New York 10021

Admiral John S. McCain
United States Navy (Retired)
2101 Connecticut Avenue, N.W.
Washington, D.C. 20006

General John C. Meyer
United States Air Force (Retired)
TAB Communications Incorporated
410 32nd Street
Newport Beach, California 92660

Major General John Murray
United States Army (Retired)
Vice President
Association of American Railroads
1920 L Street, N.W.
Washington, D.C. 20036

Dr. Dallion Oakes
President
Brigham Young University
Provo, Utah 84601

Mr. David Packard
Chief Executive
Hewlett-Packard
4 Choke Cherry Road
Rockville, Maryland 20850

Mr. T. A. Wilson
Chairman of the Board
The Boeing Company
Post Office Box 3707
Seattle, Washington 98124

Announcing the designation of January 27, 1975, as National MIA Awareness Day.

By the President of the United States of America

A Proclamation

January 27, 1975, marks the second anniversary of the signing of the Paris Agreement on Ending the War and Restoring the Peace in Vietnam. Although that Agreement contains specific obligations on accounting for the missing and the return of the remains of the dead, the communist authorities have failed to provide information on Americans missing in Southeast Asia, or to complete the return of the remains of our dead. Over 2400 Americans are still unaccounted for -- some 900 of them still listed as missing, the remainder declared dead with their bodies never recovered. The families of these men continue to live with the anguish of uncertainty about the fate of these loved ones.

NOW, THEREFORE I, Gerald R. Ford, President of the United States of America, do hereby designate Monday, January 27, 1975, as National MIA Awareness Day, a day dedicated to the many Americans who remain missing or unaccounted for in Indochina, and to their families. I call upon all Americans to join in this occasion in voicing the clear, continuing commitment of the American people and their government to seek the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died. As an expression of that commitment, I have this day ordered the establishment of a Presidential Board on United States personnel missing or unaccounted for in Southeast Asia. It shall be the responsibility of this board to review all aspects of our national program on this subject and to

develop and make recommendations for achieving our national goal as previously cited -- "the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died."

IN WITNESS THEREOF, I have hereunto set my hand this twenty fifth day of January, in the year of our Lord nineteen hundred seventy-five and of the Independence of the United States of America the one hundred ninety ninth.

THE WHITE HOUSE
WASHINGTON

M

ACTION

January 22, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: KEN COLE

SUBJECT: Designation of Presidential Board
for MIA Matters

Attached at Tab A is a memorandum from General Lawson advocating three items:

- (1) Issuance of a Presidential proclamation declaring January 27, 1975 (the second anniversary of the signing of the Paris Peace Accords), to be "National MIA Awareness Day."
- (2) Issuance of an Executive Order designating a Presidential MIA Board to investigate and recommend actions in this area.
- (3) An Oval Office meeting with the Board of Governors of the National League of Families this Saturday, January 25, when you would sign both the Proclamation and the Executive Order.

Neither the proposed Proclamation nor the proposed meeting with sixteen representative families are particularly controversial. The Proclamation is an appropriate and reasonable designation and provides a convenient reason for meeting with MIA representatives if you have not already done so.

There is, however, a great deal of controversy over the wisdom of the Executive Order creating a Presidential Board for MIA

matters. General Lawson indicates that the families favor one and that Congressional interest is growing. However, such a Board runs the substantial risk of thrusting you personally into an area of past controversy which you bore no responsibility for creating and for which there is absolutely no hope of solution.

Clearly, the expectations of the group have been raised--but this alone should not force you further into a very emotional and difficult situation. One viable alternative might be to direct the Secretary of Defense to create such a Board and report to you upon its recommendations. This would show some action, but would insulate the White House from the known unpredictabilities of Commissions.

OPTIONS:

LAWSON
BARBOOY

1. Create the Presidential Board by Executive Order.
[N. B. In any event, the Executive Order cannot be prepared and funded by this Saturday, so that it will have to follow the Proclamation by a week.]

COLE
ASH
JACOBS
BUCHEN

2. Direct the Secretary of Defense to establish a departmental board and report to you upon its recommendations.
3. Postpone the creation of any such Board pending possible Congressional action in this area.

RECOMMENDATIONS:

THE WHITE HOUSE

WASHINGTON

January 20, 1975

MEMORANDUM FOR THE PRESIDENT

FROM

MAJOR GENERAL LAWSON

SUBJECT

Designation of a Presidential Board
for MIA Matters

For several months the MIA families have been searching for a responsible means of realizing their objectives. After careful and intense study, they have come forward with a request for the establishment of a "Presidential MIA Board", modeled along the lines of the Presidential Amnesty Commission.

Upon receipt of the request, a study group was formed to evaluate the proposal. We have now completed a series of meetings with members of the National League of Families, Congress, the Departments of State and Defense, and various other interested individuals. From these discussions, the following observations were formulated:

(1) Family members are generally optimistic about the potential value of such a group. Although they are realistic enough to understand that a Board cannot perform "acts of magic," they do believe that a Presidentially directed organization might achieve some measure of success. At the minimum, they believe the activities of the Board would focus international attention upon the failure of the North Vietnamese to comply with the provisions of the Paris Peace Accords.

(2) Members of Congress have already issued statements suggesting creation of either a Presidential Board or a Congressional Committee to "investigate and make recommendations regarding the conduct of the MIA program." Congressional interest in the MIA issue has increased in the past six months. Restrictive amendments to the Foreign Trade Bill and the Military Construction Bill on this subject were initiated and only narrowly missed enactment. Both State and Defense have registered concern for the impact which such amendments could have had upon existing programs.

(3) The Supreme Court decision which upheld the lower courts' actions in the McDonald versus McLucas case (permitting the redesignation of certain MIA to that of Presumptive Finding of Death [PFOD] - gives the green light to service secretaries to hold independent hearings and reviews on all MIA cases immediately if they so desire. This issue is one of the most controversial aspects of the entire MIA program. Currently, redesignation hearings are only held when requested by a family member. Some members (primarily wives) would privately prefer to have the redesignation program proceed - but, they cannot bring themselves to be the initiating factor. Others (primarily parents), have and will continue to use every possible means of delay to obstruct redesignation action. By law, this action cannot be held up much longer. A Board would be a most useful means to publicly illuminate all aspects of this very difficult question, and to develop recommendations for the resolution of the matter.

The study group recognized that there are certain inherent dangers associated with the establishment of Presidential Boards.

(1) Some recommendations of similar groups have tended to be narrowly focused and could not be implemented when considered in the context of total national policy. (This is a potential problem in this case since one of the most frequent proposals from the MIA community is the adoption of foreign trade restrictions designed to force access for search and identification teams into North Vietnam and other communist occupied areas.)

(2) The recommendations of Presidential Boards seldom satisfy everyone concerned with the issue. In this case, it is the study group's conclusion that approximately 80% of the family members will be satisfied with the recommendations of the MIA Board, primarily because they know that their issue was carefully considered by the very top leadership of the nation.

(3) The news media has sometimes postulated that the very act of establishing a "Presidential Group", in itself, implies the existence of a serious problem.

Despite the dangers cited above, the study group's final conclusion was that the formation of a Presidential MIA Board is timely and would serve an extremely useful function in the resolution of Vietnam era matters.

This recommendation was primarily influenced by the following observations:

(1) The programs and actions taken on behalf of the American MIA and Unaccounted for in Southeast Asia have been recognized by all nations as models of concern, interest and coordinated governmental action. These programs should be reviewed, analyzed and documented. Family members do not have a concise, complete view of the total actions taken by their government in support of the POW's, MIA's, and unaccounted for personnel. This review would do much to mute those charges which have been made that "the government doesn't care."

(2) There is strong evidence that the question is not - "Will there be a Board?", but, "Who will initiate the Board?" The mood of Congress is quite clear. If the Executive Branch does not initiate action within the immediate future, a Congressional committee will almost certainly be appointed to accomplish the study. Neither the families nor the representatives of the Defense or State Departments favor that action.

(3) As a result of modern communications and the extended duration of the Vietnam Conflict, the families of the POW, MIA and unaccounted for personnel became acquainted and formed organizations for mutual support. These groups have not dissolved as they have in the aftermath of previous conflicts. Indeed the principal organizations seem to be stronger than ever. They are well funded, have strong leadership, and they are now achieving the autonomy of purpose which they seemed to lack in the past. During the recent holiday season, over 65,000 Christmas cards were addressed to the MIA's and mailed to various government agencies, "to be delivered to addressee at current location." Marches and demonstrations are becoming more vocal and demonstrative. They have come to believe that only in this manner can they achieve their objectives. It is considered, collective judgment of the study group that these groups will not "go away" without an overt action on the part of the government.

(4) The responsible family members look to the establishment of the Presidential Board as the "Beginning of the End" to their long vigil. Certainly they do hope that the activities of the Board will focus international attention on their problem and will result in a relaxation of restrictions on search and identification team movements. However, none of them believe that military force could or should be employed to force entry, just as the thought of additional Americans being killed while on search

and identification missions is especially repugnant to them. The families' concept of a Presidential Board is an organization which will review and document the past, assess the present and make responsible recommendations for the future. They believe an independent Board would be less bound to the past than a similar group made up of administration officials, congressmen, or even family members. While the thought is never openly stated, it is evident that more than anything the families want this matter to be brought to a conclusion. A final report of a Presidential Board represents the end that they seek. In their minds, the establishment of a Presidential Board is their proof that the country did care - that they as a group had succeeded in getting their issue to the very top, and that the final resolution of their problem had been reviewed by the President himself. Thus, the imperative for a "Presidential Board." Anything less, in their eyes, means one more step that could and therefore must be taken. Most importantly, the study group is convinced that the majority of the families have privately agreed that the findings and recommendations of the Board will represent the last word. If the Commission reports to the President that "All has been done that can be done," these family members are ready to disband, and return to their lives.

For these reasons, the Study Group recommends the establishment of a Presidential MIA Board. The Departments of State and Defense concur with this recommendation.

The second anniversary of the signing of the Paris Peace Accords is January 27, 1975. This date has assumed great significance among all MIA groups. A large national meeting is planned here in Washington beginning January 25 and ending with a series of events commemorating the anniversary on January 27, 1975. It is recommended that you support these activities by meeting in the Oval Office with the Board of Governors of the National League of Families, and issuing a proclamation declaring January 27, 1975 as "National MIA Awareness Day". This proclamation should be issued on January 25, in order to permit appropriate planning to occur around the nation. If you agree with the designation of a Board, it is further recommended that you sign the Executive Order creating the Board at this time. Approximately 16 family members can be expected to attend such a signing ceremony.

APPROVE

DISAPPROVE

LET'S DISCUSS



JACK-^{THE WHITE HOUSE}
WASHINGTON

HAWSON ALSO ASKED
WHETHER YOU WANTED
TO BE THERE WHEN
AND IF THIS GOES INTO
THE PRESIDENT OR
WHETHER YOU THOUGHT
IT SHOULD SIMPLY GO
IN IN THE NORMAL
PAPER FLOW!

RUM

ESTABLISHMENT OF MIA BOARD

Department of Defense

Concur

Department of State

Concur

OMB

Notes that Unanticipated Personnel Needs Funds are about depleted but suggests that if President desires to order establishment of Board, funds will be located.

Domestic Council (Cole)

Concur

Dr. Marrs

Concur

Mr. Baroody

Concur

Counsellor Marsh

Mr. Hartmann

Defers to Mr. Marsh

Mr. Buchen

Mr. Areeda -----

See Attachment -
Non-Concur

General Scowcroft



THE WHITE HOUSE
WASHINGTON

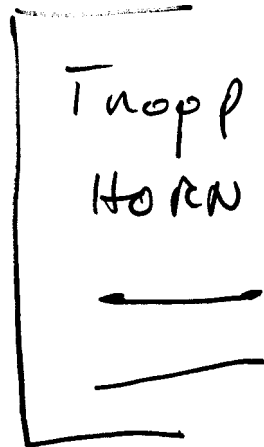
February 4, 1975

Jack, Ted hand delivered the attached to me. At first he had intended it as a memorandum for the President, but changed his mind, and decided to try it out on you as an initial idea.

R
I don't think it
will go ~~go~~ with it.
JRM

MARRS

Troop
HORN



THE WHITE HOUSE

WASHINGTON

January 30, 1975

MEMORANDUM FOR:

~~THE PRESIDENT~~

THRU:

COUNSELOR MARSH

FROM:

DR. TED MARRS *JM*

There has been an extensive adverse reaction to the test of a Departmental Task Force on MIA. There is a solid distrust of the military and of State officials with whom the families have been dealing.


The attached letter from Dermot Foley describes what I believe would be a workable and acceptable Task Force.

I recommend we change our tack while we can and use Foley's words in describing our program -- and then follow it.

Attachment

CC: Mr. Rumsfeld
Mr. Hartmann
General Scowcroft
General Lawson

14 Feb - RAR as advised Ted



KAPLAN, KILSHEIMER & FOLEY

ATTORNEYS AT LAW

ERIC KAPLAN
WALTER S. KILSHEIMER III
STEPHEN S. FOLEY
HAROLD T. MCN
ROBERT H. KAPLAN

122 EAST 62ND STREET
NEW YORK, N.Y. 10017
MURRAY HILL 7-1980

January 24, 1975

Dr. Theodore Marrs
Room 103
Executive Office Building
Washington, D. C.

Re: MIA Task Force

Dear Dr. Marrs:

From a review of my notes, I find that it was suggested when we met in November, that I send you my thoughts on the need for and the function of a Task Force to address problems respecting the M.I.A. situation.

As we left your office and returned to New York, my brother and I engaged in some preliminary analysis and speculation as to what, if anything, is the likely attitude of the Administration towards a Task Force and, if such a body is convened, how it should proceed.

Our estimate was that an indisposition to proceed with the Task Force probably prevails in the Administration and that if we were in error, it should become apparent in a short time as actions and decisions of the President are announced. Our pessimism increased very substantially the next day when the family members who had spoken to Gen. Scowcroft while we were seeing you, reported that he professed not to know of the Task Force proposal.

My view at the moment is that, until and unless the President takes steps indicating a commitment to convene a Task Force, the families are entitled to presume that he

does not intend to do so. Indeed, I believe that, at this point, if he does not reveal, in some substantial and tangible way, that he intends to move toward meaningful accomplishments in the M.I.A. area, we must presume that he plans not to accomplish much but to let the situation drift along safely hidden from the light of day. I can tell you most sincerely that I would regard that as a genuine pity. I believe that I share with most family members a keen desire to cooperate with rather than oppose or criticize the President.

Under these circumstances, an expression of my views respecting the Task Force may be of some value. For whatever it is worth, the following is offered.

1. I believe that the Task Force would be unduly restricted by an attempt to tightly circumscribe its functions and goals before it is created. Rather, the first assignment of the Task Force should be to examine and analyze the present situation, factually, and to find out how and why we arrived at this position. *Concur*

2. Only then can the Task Force look for remedies or solutions. In doing so, a spectrum of viewpoints probably must be considered. These may include the military and diplomatic needs of our Government, the civil and due process rights of the missing men themselves as well as those of their next-of-kin, the impact of the present problems as precedent in future conflicts, the development of new approaches and the improvement of existing approaches to augment present accounting efforts and the development of new criteria and procedures for determining whether an M.I.A. has died or is presumed to have died. *Concur*

3. The Task Force should be composed of a limited number of objective, independent citizens of impeccable reputation. Representation from the Senate and House would be appropriate as well as the principal professions, academic institutions, religious organizations, industry and labor. The goal should be to obtain the services of a group of



*Would concur
except for last part. r.g.*

January 24, 1975

individuals distinguished by their objectivity, candor, integrity, dedication and thoughtfulness who would fairly reflect a spectrum of responsible views.

4. In addition to the Task Force proper, there should be provision for meaningful in-put of opinions and views by those who may not be objective but who have an interest in what is occurring. These would surely include the families of the M.I.A.'s and also, possibly, the Departments of State and Defense.

5. The Task Force should be given a time schedule for the completion of its initial work and the preparation of its own program. That program should also set time schedules.

6. Candor and openness are essential to success of the Task Force. If there were any indication of a cover-up of information or of an attempt to pave over the problems rather than to meet and deal openly with them, the project would be severely compromised.

7. I am informed there is a fear that materials and information made available to the Task Force would be a target for inquiry under the Freedom of Information Act. I suggest that this is not a legitimate objection to the convening of the Task Force. Any such materials and/or information presumably is now in government possession and, thus, is now eligible for F.I.A. inquiries. Consequently, there is little distinction between exposing such data to a Task Force appointed by the President or to a Federal Judge for in camera inspection as required under the F.I.A. amendments which become operative in February. (Come to think of it, those who would obstruct the Task Force might be much more distressed with a Judge.)

I would be pleased if the foregoing were helpful. I realize that I have only touched on some of the most elementary aspects of the problem and that much more detailed consideration may be needed. However, I expect we may agree

January 24, 1975

that the Administration and the M.I.A. families have reached something of a fish-or-cut-bait position. If the President really means to do something effectual and substantive about the M.I.A.'s, now is the time to do so and the time to let the families know that the wait-and-see policy is over.

I am enclosing with this letter a number of documents which we had discussed and which you indicated an interest in reviewing. If you know of any way in which I can contribute to a serious effort to achieve an M.I.A. accounting, please contact me.

Respectfully yours,



Dermot G. Foley

DGF:sw

Enclosures:

1. Copy of letter dated 9/6/74 from John O. Marsh, Jr. to D. G. Foley;
2. M.I.A. Memorandum of D. G. Foley dated 5/13/74;
3. M.I.A. Memorandum of D. G. Foley to Martin Hoffman dated 5/30/74;
4. Statement of D. G. Foley to House Armed Services Committee dated 10/10/74; and
5. Supplemental Statement of D. G. Foley to House Armed Services Committee dated 12/13/74.

M

THE WHITE HOUSE

WASHINGTON

March 26, 1975

MEMORANDUM FOR:

JACK MARSH

THRU:

MAX FRIEDERSDORF *RKW*
VERN LOEN *VL*

FROM:

CHARLES LEPPERT, JR. *CLJ*

SUBJECT:

~~Rep. John McCollister and MIA's~~

At the direction of Vern Loen I attempted to meet with John McCollister concerning the MIA matter he has discussed with you.

I attempted to set up a meeting with him on Wednesday, March 26. McCollister advised me that he did not want to discuss the matter with anyone except Jack Marsh. He stated further that he had discussed the matter initially with Jack Marsh and was going to be critical of some people now and therefore did not want to spread the matter around by talking to others.

Rep. McCollister said he would be happy to meet with you after the Easter Recess.

bcc: Doug Bennett
Bob Wolthuis

*back up in
MIA files*



THE WHITE HOUSE
WASHINGTON

March 26, 1975

MEMORANDUM FOR: JACK MARSH
THRU: MAX FRIEDERSDORF *RKW*
VERN LOEN *VL*
FROM: CHARLES LEPPERT, JR. *Clg.*
SUBJECT: Rep. John McCollister and MIA's

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bcc: Doug Bennett
Bob Wolthuis

4
JOHN Y. MCCOLLISTER
SECOND DISTRICT, NEBRASKA

WASHINGTON OFFICE:
217 CANNON OFFICE BUILDING
202-225-4155

DISTRICT OFFICE:
FEDERAL BUILDING
213 NORTH 17TH STREET
OMAHA, NEBRASKA 68102
402-221-3251

MIAAS

Congress of the United States
House of Representatives
Washington, D.C. 20515

12-6
COMMITTEE ON
INTERSTATE AND
FOREIGN COMMERCE

SUBCOMMITTEE ON
COMMERCE AND FINANCE

THE SELECT COMMITTEE
ON SMALL BUSINESS

December 5, 1974

BT
The Honorable Gerald R. Ford
The President
The White House
Washington, D. C.

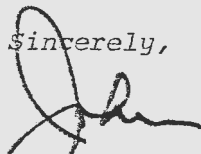
Dear Mr. President:

It seems to me that we are at an impasse in our efforts to get some kind of accounting of our servicemen who are Missing in Action in Southeast Asia. This is a heart-rendering, frustrating situation for the wives and families of those still not accounted for. My conversations with wives tell me that they would like to see some kind of a new task force appointed with the purpose of breaking the impasse.

The task force would be a demonstration of your continuing concern and would have the opportunity of resolving the issue.

I hope that you will consider appointing such a task force.

Sincerely,



JOHN Y. MCCOLLISTER
Member of Congress

JYM:fw

December 9, 1974

Dear John

This is to acknowledge and thank you for your December 5 letter to the President suggesting that a new task force be appointed to assist in our efforts to get some kind of accounting of our servicemen who are missing in action in Southeast Asia.

I shall see that your letter is called to the President's early attention. He is determined that the Government of the United States will not break faith with the families whose men are still listed as missing in action. We are doing everything we can to make certain that the missing men are accounted for and that the families will be as fully informed as possible.

With kind regards,

Sincerely,

May L. Friedlander
Deputy Assistant
to the President

The Honorable John Y. McFallister
House of Representatives
Washington, D. C. 20515

See w/line to General Scowcroft - for further handling

MLF:EF:jlc

12-13: NSC called + said
no further actions
to be taken.



RECEIVED
DEC 12 1974
CENTRAL FILES

Jlc