



THE TORCH



Illuminating government personnel accounting efforts

DEFENSE POW/MISSING PERSONNEL OFFICE

Spring 2005

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DASD Jennings Leads Delegation to China

Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs, Jerry D. Jennings, led a delegation to China in February to explore opportunities to improve cooperation on the POW/MIA issue with Chinese officials. His two days of talks included discussions with officials from the Chinese government's Ministry of Foreign Affairs and the Ministry of National Defense. Additionally, the delegation met with officials of the Chinese Red Cross to discuss matters relating to the POW camps that the Chinese managed during the Korean War.

"The people and government of China have provided us assistance over the years in resolving Vietnam War cases, as well as those from World War II. And, most recently, it was through their cooperation that we recovered the remains of an American pilot missing from the Korean War," Jennings said.

He added, "But there's much more work to be done, and I'm confident the discussions just concluded will move us forward on several cases."

During the discussions with Chinese officials, Jennings continued to explore options for reviewing documents related to the POW camps where Americans were held during the Korean War. He also thanked officials for China's support for investigations and remains recovery operations in 2004.

Following his talks in Beijing, he traveled to Dandong, China, to thank local officials for their help in a recent Korean War era remains recovery.



DASD Jennings meets with People's Liberation Army Major General Zhang Bangdong to discuss access to Chinese archives from the Korean War.

Latest Gulag Study Released

An intriguing aspect of DPMO's work over the past years has centered on reports claiming that American servicemen were taken into the Soviet prison camp system (or Gulag) during the Cold War, never to be heard from again.

Making assertions is one thing; finding facts that validate them is quite another. It is this process of moving from unconfirmed accounts to reasoned judgments that lies at the heart of DPMO's Gulag Study. With the fifth edition released on February 11, 2005, the study presents many reports that remain under investigation, while providing historical context and a sense of the

analytical work needed to validate the data we have received.

Much that will emerge from studying the Gulag and, more specifically, its role in clarifying the fates of missing American servicemen, depends on gaining access to historical records. So far, the records of the security and intelligence agencies that operated the camps in which foreign (non-Soviet) citizens were held have not been made available to us. Looking through such documents is hardly going to emphasize the positive aspects in our past relationship with the former Soviet Union.

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A Message from the Honorable Jerry D. Jennings

As we shake off the cold winter months, I look forward to a busy spring. I have just returned from a trip to China where I pushed for further cooperation on our accounting efforts in their country. I also thanked the Chinese for their support of our recent efforts to recover, repatriate, and identify the remains of Air Force Captain Troy "Gordie" Cope who was shot down by Russian-piloted North Korean MiG fighters during the Korean War.

In addition to extensive media coverage of Captain Cope's loss, many of you might have read or heard news about the "Gulag Study." This is an important study and I hope the enclosed article will shed light on some of the information that has been reported in the press.

In April, I will host the inaugural Personnel Accounting / Recovery Community Strategic Planning Conference of government personnel from around the nation who contribute to the POW/MIA accounting effort. More than 100 personnel from 10 different federal agencies are planning to attend. I also will travel to Vietnam that month to conduct an oversight visit of our recovery efforts.

We have moved the date for our family briefings for relatives of those missing from the Korean and Cold War from April to October. This move was necessary because discounted lodging was not available for those traveling to Washington, D.C. during the Cherry Blossom Festival in April. DPMO will host the annual government briefings for relatives of missing from the Vietnam War in June. I strongly encourage family members to take advantage of the Department of Defense-funded transportation to attend one of the meetings and to take advantage of the opportunity to discuss individual cases with knowledgeable officials.

As always, we will continue to keep our brave young men and women in harm's way in our thoughts.

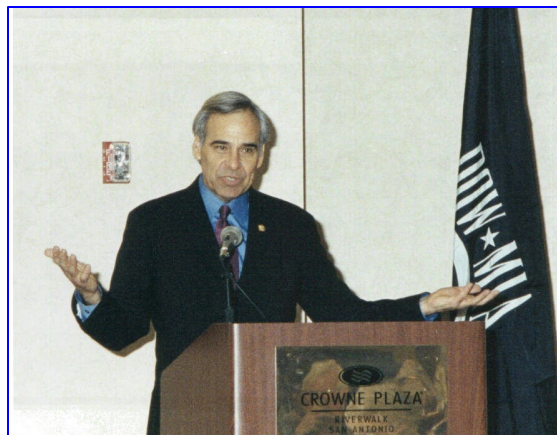
Reno and San Antonio Family Updates

DPMO hosted its most recent family update meetings in Reno, Nevada, on January 22 and San Antonio, Texas, on February 26. A total of 96 family members attended in Reno and 185 in San Antonio. The vast majority of the families (72%) represented Korean War cases followed by Vietnam War (17%) and World War II (11%).

We were very fortunate to have Congressman Charles Gonzalez attend our Texas meetings. His presence, along with congressional staff from the office of Congressman Cuellar are strong demonstrations of congressional support and interest for the families and the government efforts to account for their missing loved ones.

We will hold our next family update on March 19 in Memphis, Tennessee. A com-

plete listing of the 2005 schedule is listed on page 8. Please note the change to the date of the Raleigh meeting.



Congressman Gonzalez addresses the family members in San Antonio.

Understanding the Terms "Missing Captured" and "Isolated Personnel"

There is a belief held by a small number of individuals and organizations that there is a recent Governmental effort to replace the term "prisoner of war" (POW) with terms such as "missing-captured" and "isolated personnel." Those who believe this, claim that the government is trying to lessen public concern for our captured personnel by not using the term POW. This belief is evident in recent articles published in some family organization newsletters, discussions with individuals, and letters from individuals and organizations.

POW is not being replaced by any other term. There is no initiative to do so and, basically, POW and terms such as "missing-captured" and "isolated personnel" are not readily interchangeable. POW is the international legal status of military and certain other personnel captured during an armed conflict between two countries. POW status entitles those captured to humanitarian treatment under the Third Geneva Convention, "Geneva Convention Relative to the Treatment of Prisoners of War."

The Geneva Conventions are international law and virtually every country is a party to them. Personnel become POWs when they "have fallen into the power of the enemy." POW status is automatic, and there is no action required by any country in the conflict to have that status applied to their personnel and for their personnel to be entitled to the humanitarian protections of the Geneva Convention. You may recall this status was applied to our soldiers captured by the Iraqis during both Persian Gulf wars.

While "POW" is an internationally recognized status, the terms missing-captured and isolated personnel have no special meaning internationally. The legal status of missing-captured is a domestic status found in statute, for example, it is found in 10 United States Code § 1513. The Secretary of the Department to whom the missing person belongs is responsible for determining the status of the missing person. The terms missing and captured are not recent addition to the statutes – we can trace their use back at least to WWII.

DoD Instruction 1300.18, "Military Personnel

Casualty Matters, Policies, and Procedures," provides for a casualty accounting category of missing-captured. A review of the earliest edition (December 27, 1991) of this instruction also finds the casualty category of missing – captured. In addition, a review of its predecessor publications, DoD Instruction 7730.63, "Reports on Active Duty Military Personnel Casualties in Official Combat Areas and in Noncombat Areas," (August 26, 1982), and DoD Instruction 7730.22, "Reports on U.S. Casualties in Combat Areas," (March 20, 1973), discloses that they contain the terms missing and captured.

A POW would be classified domestically as missing-captured, while retaining the status of POW internationally.

It is interesting to note that the term missing-captured includes but is not limited to a missing person who is a POW. It is also interesting to note that neither 10 United States Code §1501 nor DoD Instruction 1300.18 or its predecessors include the term POW.

Isolated personnel is a broad term the search and rescue community uses to describe the factual condition of those separated from their unit who are required to survive, evade, or escape while awaiting rescue or recovery. It is contained in Joint Publication 1-02, "DoD Dictionary of Military and Associated Terms." It describes the conditions under which an individual is operating and is not a recognized legal status or a casualty accounting category. Describing a person as an isolated person refers to a condition of the individual; prisoner of war connotes legal status. It is interesting to note that 10 United States Code §1128, which sets forth the requirements for issuing the prisoner-of-war medal, requires that a recipient be "taken prisoner and held captive." By definition, an isolated person would not be entitled to the prisoner-of-war medal.

To reiterate, neither DPMO nor anyone else in DoD is taking any action, nor do they intend to take any action to replace the term "POW" with "missing-captured" or "isolated personnel."

The Battle at the Chosin Reservoir

In talks with DPMO and JPAC late last year, the North Koreans agreed to a full schedule of remains recoveries for 2005. An area of continuing interest to our teams is the Chosin Reservoir where so many Americans were killed. Following is a brief description of the 1950 battle:

In October 1950, United Nations forces crossed the inter-Korean border and drove north toward the Yalu River. To the east, Republic of Korea (ROK) forces were pushing north along the coastline, while the U.S. landed combat forces at Wonson, Hamhung, and Iwon. By late November, the 1st Marine Division was positioned in the area of the Chosin Reservoir, also known as Changjin Reservoir.

On November 27, the Army's 31st Regimental Combat Team (later named "Task Force MacLean" by historians for its commander, Colonel Allan MacLean) - comprised primarily of units assigned to the 7th Infantry Division, moved north along the eastern side of the Chosin Reservoir to relieve elements of the 5th Marine Regiment. As the afternoon waned, these units found themselves spread out along the main supply route on the eastern shore of the Chosin Reservoir. The task force did not anticipate enemy contact when they set up that evening, and planned to continue the push north toward the Yalu River the next morning.

That evening, however, the situation changed drastically. Unbeknownst to the Americans at the Chosin Reservoir, large numbers of Chinese "volunteer" troops had infiltrated into the hills around the reservoir awaiting the order to attack. Late on the evening of November 27th, an Army reconnaissance platoon ran into a large body of Chinese troops moving into final positions for their attack on the task force. After a violent firefight, the survivors withdrew to friendly lines. They arrived just ahead of the Chinese force, which attacked along the entire length of the task force positions. Stunning the task force by the ferocity of the attack, the Chinese overran some positions by sheer volume of manpower. Nevertheless, by morning the task force repelled the attackers and reestablished its positions.

The Chinese suffered heavy casualties, as did the Americans. Using their overwhelming numerical superiority, the Chinese surrounded the task force, launching repeated attacks for the next three nights. On November 29, Colonel MacLean was wounded and captured and Lieutenant Colonel Don C. Faith assumed command of the now-renamed Task Force Faith.

The Chinese onslaught was unrelenting, leaving

the Americans surrounded and suffering heavy casualties. It became clear that the only chance for survival was for the task force to fight through the Chinese forces to Hagaru-ri at the south end of the reservoir where Marine and Army troops had established a strongpoint.

Task Force Faith loaded it's wounded onto heavy trucks on December 1 and began withdrawing south to Hagaru-ri. Though the trip was only ten miles, the road made sharp turns and crossed several bridges.

Meanwhile, the Chinese massed troops on the high ground along the route and set up roadblocks. Further, they destroyed two bridges the trucks carry-



ing the wounded needed to cross. While trying to fight through the roadblocks, the Americans endured heavy mortar and small arms fire from the Chinese on the high ground. Four kilometers into the movement, a roadblock stalled the convoy at the foot of the east side of Hill 1221. Lieutenant Colonel Faith personally organized and led an attack to clear the enemy from the Hill. In the process, he was grievously wounded by grenade fragments and died shortly thereafter in the cab of his vehicle, still at the

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The Battle at the Chosin Reservoir

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front of the column. Soon the column began to disintegrate and many soldiers abandoned the road, making their way to Hagaru-ri across the ice; not a single truck carrying the wounded and dead made it through to friendly lines. Survivors reported that Chinese troops swarmed the trucks, throwing grenades into them, machine-gunning the wounded inside, and setting some afire. Some 300 men died in and around the trucks.

Marines from the south made forays north to rescue survivors, recovering about 300 task force men who had successfully evaded the enemy. Between November 27 and December 2, the Army lost more than 2,000 men, most listed as MIA. Lieutenant Colonel Faith, whose body was never recovered, was posthumously awarded the Congressional Medal of Honor for his actions as commander.

While Task Force Faith was fighting on the east side of the reservoir, the First Marine Division was similarly under attack on the west side. As the Marines and Army units moved north from Hamhung, elements of the 1st Marine Regiment were stationed along the way to act as route security at such strategic locations as Chinhung-ni, Koto-ri, and at the base of the reservoir in the town of Hagaru-ri. The 5th and 7th Marine Regiments, along with artillery batteries from the 11th Marine Regiment, moved along the road on the west side of the Chosin Reservoir to the town of Yudam-ni, deploying a couple of rifle companies at strategic locations along the road between Hagaru-ri and Yudam-ni. Notable among them was Fox Company, 2nd Battalion, 7th Marines, which was positioned on a hill overlooking the strategic Toktong Pass. As the 5th Marines joined the 7th at Yudam-ni early on the evening of November 27, they established strong points on the high ground to the west, north, and east of the town. That night, as the Chinese hit Task Force MacLean on the east side, they also assaulted Marine positions on the west side, from Yudam-ni to Hagaru-ri. While the Marines held their own, mounting casualties and the size of the Chinese force made it clear that remaining at Yudam-ni was not possible.

On the morning of December 1, 1950, as the

task force was fighting its way south on the east side, the Marines began their fighting withdrawal to Hagaru-ri. Again, Chinese troops massed on the high ground along the main road and established several roadblocks. Each time the column had to fight through a roadblock, the Chinese rained murderous mortar and small-arms fire on them. Fox Company, 2/7, which had been left to protect the Toktong Pass, had been surrounded for several days and was in serious trouble with many casualties and running low on ammunition.

As the bulk of the 5th and 7th Marines moved south along the main road, a composite force went off the road and along the ridgelines, fighting its way to link up with and relieve the beleaguered Fox Company.

Approximately one week later, the entire allied force, now massed at Hagaru-ri and still fighting off continuous Chinese attacks, began a fighting withdrawal south to Koto-ri, where they opened two cemeteries and buried several of the dead. The force continued its fighting withdrawal to Hamhung where it was evacuated from North Korea. Prior to departing Hamhung, they opened two more cemeteries where they interred many more of the dead. After the allied force withdrew from Chosin Reservoir and evacuated from Hamhung, they never regained control of the area to search for the missing. Further, it was never possible to repatriate any of the dead from the cemeteries at Koto-ri or Hamhung.

As a result of talks between the North Koreans and DPMO in 2001, U.S. recovery teams were allowed on the east side of the Chosin Reservoir where we have conducted recovery operations each year since.



Marines dig in during the Battle of Chosin Reservoir.

Latest Gulag Study Released *(Continued from page 1)*

Unless we are able to take that step, though, we cannot expect to resolve to anyone's satisfaction the many reports that we continue to list as open.

The following example may help illustrate this point. More than five years ago, DPMO researchers obtained a diary from a former Soviet citizen, someone who had spent much of his adult life in what is called "internal exile." Because he had relatives in the United States, the author of the diary kept track of reports about American servicemen whom the Soviets may have seized and taken to the Gulag. One such report concerned the crew of a U.S. Air Force reconnaissance aircraft shot down over Soviet territory on June 13, 1952. Citing comments from associates, the diary's author chronicled what happened at the time of the shoot down, mentioned the names of two of the crew, and conveyed the name of the prison camp to which the surviving crew members were taken. The information in the diary (or "memoir", as it has become known) tracks closely with U.S. records of the incident in those few cases where we are able to correlate it to specific events. We have asked the Russian side of the U.S.- Russia Joint Commission on POW/MIAs to investigate the matter. We have offered to support a thorough inquiry that we hope would allow us to examine camp records and interview those who may be able to shed light on what the memoir says. Unfortunately, our offer has not been accepted, and we remain unable to resolve the fates of at least 12 of our MIAs.

We continue to acquire information from various sources about the presence of American servicemen in the Soviet camps and will update the Gulag Study to reflect new leads and the results of our inquiry. In this way, even if the

political climate does not allow us to move forward with definitive results, we will at least be able to maintain visibility and recognition for this important aspect of the accounting process.

The fifth edition, as well as past editions, of the Gulag Study can be found on our website at www.dtic.dpmo/mil.

Gaining Access to Missing Personnel Files

Individuals often ask us to explain the difference between the "rights" of family members to access missing personnel information and the requirement to submit a formal Freedom of Information Act (FOIA) request. For the convenience of our readers, we are publishing the following guidance:

ACCESS TO MISSING PERSONNEL FILES BY FAMILY MEMBERS

DPMO fully endorses approved access to missing personnel case files by:

- ? the Primary Next of Kin (PNOK)
- ? other members of the immediate family
- ? the previously designated person.

Approved family members who fit into one of the above categories are strongly encouraged to visit DPMO to review their respective missing person's case file and meet with government officials to resolve uncertainties in an open and personal manner. We extend this invitation to all Korea, Cold, and Vietnam War families.

For additional information on DPMO's policies related to an individual's right to access files, please visit our website at <http://www.dtic.mil/dpmo> and click on "Family Information and File Reviews."

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HOW TO REACH US...

USAF Missing Persons Branch

550 C Street West, Suite 15

Randolph AFB, TX 78150-4716

<http://www.afpc.randolph.af.mil/powmia>

(800) 531-5501

U.S. Army Human Resources Command

ATTN: AHRC-PER

200 Stovall Street

Alexandria, VA 22332-0482

[http://www.perscomonline.army.mil/tagd/cmaoc/](http://www.perscomonline.army.mil/tagd/cmaoc/powmia/cmaocpowmia.htm)

[powmia/cmaocpowmia.htm](http://www.perscomonline.army.mil/tagd/cmaoc/powmia/cmaocpowmia.htm)

(800) 892-2490

Headquarters U.S. Marine Corps

Manpower and Reserve Affairs (MRC)

3280 Russell Road

Quantico, VA 22134-5103

(800) 847-1597

Annual Vietnam War Family Briefings Set for Washington Area

The Defense POW/Missing Personnel Office (DPMO) has set June 15-17 as the dates for the 2005 annual government briefings to all families of missing from the Vietnam War. These annual briefings are part of DPMO's statutory responsibility to seek the fullest possible accounting for America's missing, and to serve the needs of their families.

DPMO set the date for the government briefings to coincide with the annual meet-



Vietnam War family members at the annual government briefings last year.

ings of the National League of Families of American Prisoners and Missing in Southeast Asia and the National Alliance of Families, also to be held in Crystal City, Va. As in previous years, the government briefings will provide families the opportunity to meet with numerous civilian and military representatives of the government whose expertise in-

cludes: foreign government negotiation, policy, remains recovery and identification, DNA science, archival research and intelligence analysis.

Since 1995, DPMO has briefed more than 10,000 family members in U.S. cities through monthly and annual meetings such as these.

DPMO remains committed to the families of the missing – **they are DPMO's priority**. DPMO is continuing its planning to present thoroughly informative briefings in a professional and comfortable environment to the families of the unaccounted-for from the Vietnam War in June, and the families of the Korean/Cold War missing later this fall.

Under the leadership of Jerry D. Jennings, the Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs for 3 ½ years, DPMO has made major strides in the worldwide effort to account for the missing from all conflicts. DPMO institutionalized DoD roles and responsibilities for the accounting mission by publishing the first-ever DoD policy directive in this regard, thereby ensuring the government's priority for the accounting mission endures beyond the current administration.

DPMO has expanded government efforts to account for America's missing from a focus on accounting for missing from the Vietnam War to one that now extends from World War II forward. DASD Jennings and his team have opened new venues for investigation and recovery efforts around the world and new doors with countries such as Burma.

HOW TO REACH US (continued)..

Navy Personnel Command
Casualty Assistance Division
POW/MIA Section (PERS 62P)
5720 Integrity Drive
Millington, TN 38055-6210
<http://www.persnet.navy.mil/pers62/POW-MIA/62P.htm>
(800) 443-9298

Overseas Citizens Services
U.S. Department of State
SA-29, 4th Floor
2201 C Street, Northwest
Washington, DC 20520
(202) 647-5470

Defense Prisoner of
War/Missing Personnel Office
2400 Defense Pentagon
Washington, DC 20301-2400
www.dtic.mil/dpmo
(703) 699-1100



View our Web site at:

www.dtic.mil/dpmo

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ACCESS TO FILES BY THE PUBLIC THROUGH THE FREEDOM OF INFORMATION ACT (FOIA)

Title 5 United States Code Section 552 directs the implementation of the FOIA that gives the public the statutory right to access reasonably described records held by the Federal Government unless the information falls under one of nine exemptions.

Members of the public seeking POW/MIA-related information who do not fit into one of the three "family" categories cited above, may submit a FOIA request for records. Requests should be addressed to: The Office of Freedom of Information and Security Review, 1155 Defense Pentagon, Room 2C757, Washington, DC 20301-1155.

For more information on declassification, the FOIA statute, laws, and other helpful information governing the process, please visit our website and click on "General Information and FOIA Requests."

In an effort to promote easier access to records by the public without having to submit a FOIA request, DPMO's Declassification Division has provided approximately one million pages of information to the Library of Congress (LOC). Much of the previously classified information pertains to the Vietnam War and was not available for public review. In order to gain access to an index of records available to the public, individuals can visit the LOC website at <http://lcweb2.loc.gov/frd/powquery.html>.

2005 Family Update Schedule

The Defense POW/Missing Personnel Office has hosted more than 90 meetings in cities throughout the United States since 1995.

Family Updates provide relatives of Americans still unaccounted for from past wars with the latest information regarding the U.S. government's POW/MIA accounting activities.

- January 22, 2005 Reno, NV
- February 26, 2005 San Antonio, TX
- March 19, 2005 Memphis, TN
- April 30, 2005 Raleigh, NC
- July 30, 2005 Omaha, NE
- August 27, 2005 Columbus, OH
- September 24, 2005 San Diego, CA
- November 19, 2005 Spokane, WA

Family members within a 300-mile radius of the Update location will receive an invitation approximately 30 days before the meeting. Other family members outside of that area can register to attend by calling their Casualty Office or online by going to www.dtic.mil/dpmo and clicking on "Upcoming Events."