

# POW – MIA Manual



The American legion

Department of Florida

For God & country



## Table of Contents

American Legion POW/MIA Policy	3
The United States Military Code of Conduct	4
Qualifications	4
Who are POWs	5
Hague and Geneva Conventions	6
POW/MIA Recognition Day – A history	7
POW/MIA Flag – A history	8
POW/MIA Bracelets	9
POW/MIA Stamps	12
POW/MIA Table Ceremony	14
Books, DVDs, Websites	15

**POW Remembrance Day is the third (3<sup>rd</sup>) Friday in September**

American Legion Riders participate in the annual POW/MIA Rally held each Memorial weekend in Washington D.C. known as "Rolling Thunder".

## **The American Legion POW/MIA Policy**

The POW/MIA issue is of paramount concern to The American Legion. The Legion's Mandate on this issue commits us to keep the spotlight on securing the full accounting for all POW/MIAs from the Gulf War, the war in Southeast Asia, the Cold War, the Korean War and World War II. Full accounting means the return of live POWs, the repatriation of their remains, or convincing evidence why neither of these is possible.

With regard to Vietnam in particular, The American Legion has always believed that the Vietnamese have the knowledge and the capability to account for the fate of many more of our POW/MIAs from the War in Southeast Asia. Moreover, only Vietnam, by taking unilateral action to repatriate remains and to provide relevant information from wartime records, documents and the oral history program, can help account for many still missing Americans.

The American Legion continues to oppose the normalization of diplomatic relations with Vietnam. We remain unconvinced that Vietnam is cooperating in full faith on POW/MIA issues. We are also concerned about the poor state of human rights in Vietnam, especially for ethnic groups such as the Montagnards that were American allies during the war.

The American Legion supports the continued declassification of all POW/MIA information, the strengthening of joint commissions with Russia, North Korea and China, and adequate resourcing of investigative efforts and field operations to resolve POW/MIA issues. The American Legion has also worked continuously with both Congress and the Defense Department to improve the policies and programs for the accountability of missing persons. For years the American Legion supported a National POW/MIA Recognition Day, which is now recognized annually on the third Friday in September.

The American Legion will continue to speak out and exert maximum pressure on both the Administration and on the Congress to fully account for America's POW/MIA.

Foreign Relations (202)263-2993  
October 2006

Resolution 288, adopted at the 67<sup>th</sup> National Convention, calls for designating a POW/MIA Empty Chair at all official meetings of The American Legion as physical symbol of the thousands of American POW/MIAs still unaccounted for from all wars and conflicts involving the United States of America. Accordingly, at this time the Vice Commanders will place the POW/MIA flag on the empty chair – a reminder for all of us to spare no effort to secure the release of any American prisoners from captivity, the repatriation of the remains of those who died bravely in defense of liberty, and a full accounting of those missing. Let us rededicate ourselves for this vital endeavor. "Place the POW/MIA flag on the empty chair."

# The United States Military Code of Conduct

The United States Military Code of Conduct, Articles III through V, are guidelines for United States service members who have been taken prisoner. They were created in response to the breakdown of leadership which can happen in an atypical environment such as a POW situation, specifically when US forces were POWs during the Korean War. When a person is taken prisoner, the Code of Conduct reminds the service member that the chain of command is still in effect (the highest ranking service member, regardless of armed service branch, is in command), and that the service member cannot receive special favors or parole from their captors, lest this undermine the service member's chain of command.

## Qualifications

To be entitled to prisoner of war status, the captured service member must be a "lawful combatant" entitled to combatant's privilege--which gives them immunity for crimes constituting lawful acts of war, e.g. killing enemy troops. To qualify under the Fourth Geneva Convention, the combatant must have conducted military operations according to the laws and customs of war: be part of a chain of command and wear a "fixed distinctive marking, visible from a distance", and bear arms openly. Thus, *francs-tireurs*, "terrorists", *saboteurs*, *mercenaries* and *spies* may be excluded.

In practice, these criteria are not always interpreted strictly. *Guerrillas*, for example, may not wear an issued uniform or carry arms openly yet are sometimes granted POW status if captured (although Additional Protocol 1 may give them POW status in some circumstances). These criteria are normally restricted to international armed conflicts: in civil wars insurgents are often treated as traitors or criminals by government forces, and are sometimes executed. However, in the American Civil War both sides treated captured troops as POWs despite the Union considering the Confederacy separatist rebels, presumably because of reciprocity. After the hunger strike by Bobby Sands and his IRA colleagues, the British government gave some POW privileges to IRA prisoners.

However, guerrillas or any other combatant may not be granted the status if they try to use both the civilian and the military status. Thus, uniforms and/or badges are important in determining prisoner of war status.

**Show you care... Invite a POW as Guest of Honor to your next Post Dinner**

American Ex-Prisoners of War  
Florida State Chapter  
727-372-7238  
727-868-1102



## ***Who are former prisoners of war?***

Since World War I, more than 142,000 Americans, including 85 women, have been captured and interned as POWs. Not included in this figure are nearly 93,000 Americans who were lost or never recovered. Only one third of America's former POWs since World War I are still living (about 36,500). More than 90% of living former POWs were captured and interned during World War II. Over 21,000 former POWs are in receipt of compensation for service-connected injuries, diseases, or illnesses.

In 1981, Congress passed Public Law 97-37 entitled "Former Prisoners of War Benefit Act." This law accomplished several things. It established an Advisory Committee on Former Prisoners of War and mandated medical and dental care. It also identified certain diagnoses as presumptive service-connected conditions for former POWs. Subsequent public laws and policy decisions by the Secretary of Veterans Affairs have added additional diagnoses to the list of presumptive conditions.

If you are able, save them a place inside of you and save one backward glance when you are leaving for the places they can no longer go.

Be not ashamed to say you loved them, though you may or may not have always.

Take what they have left and what they have taught you with their dying and keep it with your own.

And in that time when men decide and feel safe to call the war insane, take one moment to embrace those gentle heroes you left behind.

Major Michael Davis O'Donnell  
1 January 1970  
Dak To, Vietnam

On March 24th, 1970, Michael O'Donnell along with crew mates Berman Ganoe, John C. Hosken, Rudy M. Becerra, John Boronski, Gary A. Harned and Jerry L. Pool went Missing in Action. Although remains for all crewmen were not recovered, this crew is now considered accounted for.


## Hague and Geneva Conventions

Specifically, Chapter II of the Annex to the [1907 Hague Convention](#) covered the treatment of prisoners of war in detail. These were further expanded in the [Third Geneva Convention](#) of 1929, and its revision of 1949.

Article 4 of the [Third Geneva Convention](#) protects captured [military](#) personnel, some [guerrilla](#) fighters and certain civilians. It applies from the moment a prisoner is captured until he or she is released or repatriated. One of the main provisions of the convention makes it illegal to [torture](#) prisoners and states that a prisoner can only be required to give their name, date of birth, rank and service number (if applicable).

However, [nations](#) vary in their dedication to following these laws, and historically the treatment of POWs has varied greatly. During the [20th century](#), [Imperial Japan](#) and [Nazi Germany](#) were notorious for atrocities against prisoners during [World War II](#). The German military used the Soviet Union's refusal to sign the Geneva Convention as a reason for not providing the necessities of life to Russian POWs. North Korean and North Vietnamese forces routinely killed or mistreated prisoners taken during those conflicts.

For Complete Treaties visit...

 The Geneva Convention: <http://www.icrc.org/eng>

 The Hague Convention: [http://wwi.lib.byu.edu/index.php/Hague\\_Convention](http://wwi.lib.byu.edu/index.php/Hague_Convention)

More than one-half million Americans have been captured and interned as Prisoners of War since the American Revolution. The largest number of POWs occurred during the Civil War when an estimated 220,000 Confederate soldiers were captured by the North and nearly 127,000 Union soldiers, were interned by the South.

Since World War I, over 142,000 Americans - including 85 women - have been captured and interned as POWs. Not included in this figure are nearly 93,000 Americans who were [lost or never recovered](#). Nearly 30% of America's POWs since World War I are [still living](#) (29,350). More than 90% of our living POWs were captured and interned during World War II.

In 1980, Congress mandated VA to conduct a study of Former POWs to assess their health needs, and make recommendations for improvement of benefits and services. As a result, for more than 20 years, eligibility for health care and benefits has been liberalized, and an [Advisory Committee on Former POWs](#) has been established to advise the Secretary about the ongoing needs of POWs and their survivors.

<http://www.vba.va.gov/bln/21/Benefits/POW/POWBackground.htm>

## **POW-MIA Recognition Day... A History**

Until July 19, 1979, no commemoration was held to honor America's POW/MIAs, those returned and those still missing and unaccounted for from our nation's wars. That first year, resolutions were passed in the Congress and the national ceremony was held at the National Cathedral, Washington, D.C. The missing man formation was flown by the 1<sup>st</sup> Tactical Squadron, Langley AFB, Virginia. The Veterans Administration published a poster including only the letters "POW/MIA" and that format was continued until 1982, when a black and white drawing of a POW in harsh captivity was used to convey the urgency of situation and the priority that President Ronald Regan assigned to achieving the fullest possible accounting for Americans still missing from the Vietnam War.

National POW/MIA Recognition Day legislation was introduced yearly, until 1995 when it was deemed by Congress that legislation designating special commemorative days would no longer be considered by Congress. The President now signs a proclamation each year. In the early years, the date was routinely set in close proximity to the National League of Families of American Prisoners and Missing in Southeast Asia's annual meetings. In the mid-1980's, the American Ex-POWs decided that they wished to see the date established as April 9<sup>th</sup>, the date during World War II when the largest number of Americans were captured. As a result, legislation urged by the American Ex-POWs was passed covering two years July 20, 1984 and April 9, 1985, as the commemoration dates.

In 1984 National POW/MIA Recognition Day ceremony was held at the White House, hosted by President Ronald Regan. At that most impressive ceremony, the Regan Administration balanced the focus to honor all returned POWs and renew national commitment to accounting as fully as possible for those still missing. Perhaps the most impressive Missing Man formation ever flown was that year, up the Ellipse and over the White House. Unfortunately, the 1985 ceremony was canceled due to inclement weather, a concern that had been expressed when April 9<sup>th</sup> date was proposed.

Subsequently, in an effort to accommodate all returned POWs and all Americans still missing and unaccounted for from all wars, the National League of Families of American Prisoners and Missing in Southeast Asia proposed the third Friday in September, a date not associated with any particular war and not in conjunction with any organization's national convention. Most National POW/MIA Recognition Day ceremonies have been held at the Pentagon. On September 19, 1986, however, the national ceremony was held on the steps of the U. S. Capitol facing the Mall, again concluding with a flight in Missing Man formation.

National POW/MIA Recognition Day Ceremonies are now being held throughout the nation and around the world on military installations, ships at sea, state capitols, at school, churches, national veteran and civic organizations, police and fire departments, fire stations, etc.

## POW / MIA Flag... A history



In 1971, Mrs. Michael Hoff, an MIA wife recognized the need for a symbol of our POW/MIAs. Prompted by an article in the Jacksonville, Florida Times-Union, Mrs. Hoff contacted Norman Rivkees, Vice President of Annin & Company which had made a banner for the newest member of the United Nations, the People's Republic of China, as part of their policy to provide flags to all United Nations member states. Mrs. Hoff found Mr. Rivkees very sympathetic to the POW/MIA issue, and he, along with Annin's advertising agency, designed a flag to represent our missing men.

On August 16, 1990, the 101<sup>st</sup> Congress passed U.S. Public Law 101-355, which recognizes The National League of POW/MIA Families' POW/MIA flag and designated it "as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation".

# **POW/MIA Bracelets**

**By Carol Bates Brown**

I was the National Chairman of the POW/MIA Bracelet Campaign of VIVA (Voices in Vital America), the Los Angeles based student organization that produced and distributed the bracelets during the Vietnam War. Entertainers Bob Hope and Martha Raye served with me as honorary Co-chairmen.

The idea for the bracelets was started by a fellow college student, Kay Hunter, and me, as a way to remember American prisoners of war suffering in captivity in Southeast Asia. In late 1969 television personality Bob Dornan (who several years later was elected to the US Congress) introduced us and several other members of VIVA to three wives of missing pilots. They thought our student group could assist them in drawing public attention to the prisoners and missing in Vietnam. The idea of circulating petitions and letters to Hanoi demanding humane treatment for the POWs was appealing, as we were looking for ways college students could become involved in positive programs to support US soldiers without becoming embroiled in the controversy of the war itself. The relatives of the men were beginning to organize locally, but the National League of POW/MIA Families had yet to be formed.

During that time Bob Dornan wore a bracelet he had obtained in Vietnam from hill tribesmen, which he said always reminded him of the suffering the war had brought to so many. We wanted to get similar bracelets to wear to remember US POWs, so rather naively, we tried to figure out a way to go to Vietnam. Since no one wanted to fund two sorority-girl types on a tour to Vietnam during the height of the war, and our parents were livid at the idea, we gave up and Kay Hunter began to check out ways to make bracelets. Soon other activities drew her attention and she dropped out of VIVA, leaving me, another student Steve Frank, and our adult advisor, Gloria Coppin, to pursue the POW/MIA awareness program.

The major problem was that VIVA had no money to make bracelets, although our advisor was able to find a small shop in Santa Monica that did engraving on silver used to decorate horses. The owner agreed to make 10 sample bracelets. I can remember us sitting around in Gloria Coppin's kitchen with the engraver on the telephone, as we tried to figure out what we would put on the bracelets. This is why they carried only name, rank and date of loss, since we didn't have time to think of anything else.

Armed with the sample bracelets, we set out to find someone who would donate money to make bracelets for distribution to college students. It had not yet occurred to us that adults would want to wear the things, as they weren't very attractive. Several approaches to Ross Perot were rebuffed, to include a proposal that he loan us \$10,000 at 10% interest. We even visited Howard Hughes' senior aides in Las Vegas. They were sympathetic but not willing to help fund our project. Finally in the late summer of 1970, Gloria Coppin's husband donated enough brass and copper to make 1,200 bracelets. The Santa Monica engraver agreed to make them and we could pay him from any proceeds we might realize.

Although the initial bracelets were going to cost about 75 cents to make, we were unsure about how much we should ask people to donate to receive a bracelet. In 1970, a student admission to

the local movie theater was \$2.50. We decided this seemed like a fair price to ask from a student for one of the nickel-plated bracelets. We also made copper ones for adults who believed they helped their "tennis elbow." Again, according to our logic adults could pay more, so we would request \$3.00 for the copper bracelets.

At the suggestion of local POW/MIA relatives, we attended the National League of Families annual meeting in Washington, DC in late September. We were amazed at the interest of the wives and parents in having their man's name put on bracelets and in obtaining them for distribution. Bob Dornan, who was always a champion of the POW/MIAs and their families, continued to publicize the issue on his Los Angeles television talk show and promoted the bracelets.

On Veterans Day, November 11, 1970, we officially kicked off the bracelet program with a news conference at the Universal Sheraton Hotel. Public response quickly grew and we eventually got to the point we were receiving over 12,000 requests a day. This also brought money in to pay for brochures, bumper stickers, buttons, advertising and whatever else we could do to publicize the POW/MIA issue. We formed a close alliance with the relatives of missing men - they got bracelets from us on consignment and could keep some of the money they raised to fund their local organizations. We also tried to furnish these groups with all the stickers and other literature they could give away.

While Steve Frank and I ended up dropping out of college to work for VIVA full time to administer the bracelet and other POW/MIA programs, none of us got rich off the bracelets. VIVA's adult advisory group, headed by Gloria Coppin, was adamant that we would not have a highly paid professional staff. As I recall the highest salary was \$15,000, a year and we were able to keep administrative costs to less than 20 percent of income.

In all, VIVA distributed nearly five million bracelets and raised enough money to produce untold millions of bumper stickers, buttons, brochures, matchbooks, newspaper ads, etc., to draw attention to the missing men. In 1976, VIVA closed its doors. By then the American public was tired of hearing about Vietnam and showed no interest in the POW/MIA issue.

## **To purchase an MIA bracelet**

If you would like to purchase a bracelet, I recommend that you go to the web site of the National League of Families of Prisoners and Missing in Southeast Asia (the "League"): <http://www.pow-miafamilies.org/> At the bottom of their opening page you will find several links; one of those links takes you to a page of vendors recommended by the League. Click on that link and browse the vendors -- they have bracelets, flags, and the like for sale.

## **To get information about a name on a bracelet**

If you have a bracelet and would like to get information on the man whose name is on the bracelet, send a letter to:

**Defense POW/Missing Persons Office  
ATTN: Public Affairs  
2400 Defense, Pentagon  
Washington, DC 20301 - 2400**

Give them the information off the bracelet and you will receive an answer. Be certain to ask them for the current status of the individual.

## **Bracelet Tradition**

Traditionally a POW-MIA bracelet is worn until the man, named on the bracelet, is accounted for. Whether it be for 25 days or 25 years, the bracelet is worn and the man remembered.

After Operation Homecoming, those who wore bracelets with the names of returned POWs began to send the bracelets to the men and their families. Unfortunately, only 591 men returned and thousands of men remained Prisoner or Missing with tens of thousands of bracelets still being worn.

Once Homecoming was completed, the repatriation of remains began. It was during this time that the tradition of returning a man's bracelet to his family began. Throughout the years the remains return program has met with varying successes and dismal failures, yet, remains continue to be repatriated. Some identifications are accepted by the families, some are challenged. Nonetheless, the tradition of returning bracelets remains a part of the POW MIA history.

The following is the correct procedure for returning a POW MIA bracelet to the family of an accounted-for POW-MIA.

1. Write a letter to the family of the POW-MIA service member. Please make sure to include all contact information in the event the family chooses to contact you.
2. Place the letter to the family and the bracelet in an envelope. Write your return address and simply address the envelope:
3. To The Family Of (Service member's Name)
4. Place double postage on the envelope and seal it.
5. Write a letter to the Defense Prisoner and Missing Personnel Office (DPMO) and in the letter explain that this is a bracelet return and request that the contents be forwarded to the family.
6. Place the DPMO request letter and the To The Family Of envelope inside another envelope and address it to -

Department of Defense,  
Defense Prisoner Of War/Missing Personnel Office  
2400 Defense Pentagon, Washington, DC 20301-2400  
Attention Mr. Chuck Henley/POW MIA Bracelet Return

Any questions may be directed to Mr. Henley at -703-699-1100



Postmaster General Marvin Runyon in announcing the design. "The identification of each person as a unique individual who has the right to hope, to survive, and to ultimately have life after the wounds of combat." It is a symbol of accounting for and caring for all our men and women in uniform. It is a symbol for commemorating and remembering all our POWs and MIAs -- from the Revolutionary War to Somalia." Many veterans save their ID tags as treasured keepsakes, carrying them around their necks, in their billfolds, on their key chains, and stored with their valuable jewelry. They pass them down to their children and grandchildren as heirlooms. They reflect on them, and remember the sacrifices they and others made -- and they remember those captured by hostile forces and terrorists, and those who remain missing in action. Carl Herrman designed the stamp after a concept created by Gary Viskupic of Centerport, N.Y. Herrman combined Ivy Bigbee's photo of the ID tags with an image of the American flag taken by prominent photographer Robert Llewellen of Charlottesville, Va. The development of this stamp was coordinated with various veteran and family organizations. This is the second stamp issued by the Postal Service honoring America's POWs and MIAs. The six-cent "U.S. Servicemen" stamp, issued in 1970, read, "Honoring U.S. Servicemen -- Prisoners of War -- Missing and Killed in Action."

Previous Stamps Issued: Artwork: All POW-MIA Text Credit: History - All POW MIA, News Release - US Postal Office Public Domain



**1970 Honoring US Servicemen: Prisoners of War Missing and Killed in Action**



**Vietnamese Stamp Issues Denoting American POWs  
Air War Commemoration Series: 1967  
2,000<sup>th</sup>  
U S Aircraft Shoot Down**



**Air War Commemoration Series: 1972  
3,500<sup>th</sup> U S Aircraft Shoot Down**

## **POW / MIA Table Ceremony**

This small table here in a place of honor. It is set for one.

This table is our way of symbolizing the act that members of our profession of arms are missing from our midst. They are commonly call POW's or MIA's...we call them brothers.

They are unable to be with us this evening and so we remember them. This table set for one is small... it symbolizes the frailty of one prisoner against his oppressors.

The table cloth is white... it symbolizes the purity of their intentions to respond to their country's call to arms.

The single rose displayed in a vase reminds us of the families and loved ones of our comrades in arms who keep faith awaiting their return.

- Red Rose denotes passion and love
- Yellow Rose denotes passing love (as ending a romance)
- White Rose denotes purity and new beginning

The red ribbon tied so prominently on the vase is reminiscent of the red ribbon worn on the lapel and breasts of thousands who bear witness to their unyielding determination to demand a proper accounting for our missing.

A slice of lemon is on the bread plate... to remind us of their bitter fate. There is salt upon the bread plate... symbolic of the family's tears as they wait.



The glass is inverted... they cannot toast with us tonight.

The chair is empty... they are not here.













Remember... all of you who served with them and called them comrades, who depended on their might and aid, and relied on them... for surely... they have not forsaken you.

## POW-MIA Books, DVDs & Websites






### Books:

-  An Enormous Crime; The Definitive Account of American POW's Abandoned in Southeast Asia. By Bill Hendin & Elizabeth A. Stewart
-  Missing... Presumed Dead. By Bill Dumas

### DVDs

-  The First Marine Captured in Vietnam. By Donald L. Price
-  Thick Luck. By David Combs
-  Is Anybody Listening. By Barbara Birchim
-  Soldier Dead. By Michael Sledge
-  Rescue 007: The Untold Story of KAL007 and its Survivors. By Bert Schlossberg
-  Soldiers of Misfortune. By Mark Sauter, James Sanders & R. Cort Kirkwood
-  Betrayed. By Dr. Joseph Douglass, Jr. PhD.
-  Leave No Man Behind. By Garnett "Bill" Bell & George J. Veith
-  One Day Too Long. By Dr. Timothy Castle
-  Moscow Bound. By John M. G. Brown
-  We Band of Angels. By Elizabeth Norman
-  She Went to War. By Rhonda Cornum

### Websites

-  VA POW <http://www.vba.va.gov/bln/21/Benefits/POW/index.htm>
-  Library of Congress <http://lcweb2.loc.gov/pow/powhome.html>
-  National Prisoner of War Museum <http://www.nps.gov/ande/>
-  American Ex-Prisoners of War <http://www.axpow.org/>
-  Joint Prisoners of war, Missing in Action Command <http://www.jpac.pacom.mil>

The American Legion does not endorse and is not responsible for the content of the website link, DVD or Books.