DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE MILITARY PERSONNEL CENTER
RANDOLPH AIR FORCE BASE, TEXAS 78148

4 December 1972

MRS. SAMUEL R. JOHNSON

DEAR MRS. JOHNSON

I am writing primarily to pass information concerning two extremely important subjects that many of our next of kin have asked about and to furnish instructions and authorization cards for Christmas packages.

<u>PERSONAL AFFAIRS INFORMATION</u>: Attachment 1 is information concerning Powers of Attorney and Servicemen's Group Life Insurance.

<u>CHRISTMAS PACKAGES AND CARDS</u>: We are distributing the cards for use by families desiring to send Christmas packages to assure that the mailing of packages can be accomplished in a timely manner should our men not be released before or during the 1972 Christmas holiday season. Distribution of these cards in no way implies a stalemate in negotiations. Dr. Kissinger announced on 26 October 1972 that "the Agreement provides that all captured military personnel and foreign civilians be repatriated within the same period as the withdrawal; that is to say, there will be a return of all American prisoners, military or civilian, within 60 days after the Agreement comes into force." This indicates that releases of prisoners may be phased over a period subsequent to the signing of the Agreement. If the member is missing or captured in Cambodia, Laos or North Vietnam and you have been given the authorization for mailing packages, you will find attachment 2 enclosed. This is the authorization card and instruction sheet for preparing and mailing packages to North Vietnam. Again, we must say that this package program does not include those missing or captured in South Vietnam. We have no guarantee that packages will be delivered to anyone other than those the North Vietnamese have acknowledged they are holding. However, we sincerely hope that all of you who are authorized to send packages will insure that a Christmas package is mailed. <u>Certainly no prisoner who is permitted to receive a Christmas package should have to do without one</u>. In addition, Hanoi has announced that prisoners may receive Christmas and New Years cards from their families through regular postal channels.

<u>TRANSCRIPT OF BRIEFINGS</u>: Attachment 3 contains transcripts of the individual presentations at the briefings conducted during July and August 1972. The attachment is intended primarily for those who were not able to attend one of the briefings, but is [illegible] sent to all

that those who did attend will have a permanent record of the information that was passed during the sessions.

UNIFORMED SERVICES SAVINGS DEPOSIT PROGRAM (USSDP): We are pleased to note that you continue to manage your funds in an outstanding manner. As of 30 September 1972, 405 out of 912 families had between $20,000 and $100,000 on deposit in USSDP. There is one account with over $100,000 on deposit. The average deposit balance as of 30 September was over $21,000. Total value of all accounts is now in excess of $19,500,000. We urge you to continue to use this excellent means of ensuring that funds will be available for use of the individual upon his return.

NEW SURVIVOR BENEFIT PLAN: Survivor benefits are outlined on page 7 of the DOD Information Pamphlet for PW/MIA Families, which was attached to our 20 November 1972 newsletter. Since this pamphlet was prepared, the new Survivor Benefit Plan has been signed into law. Because this new program affects the retirement benefits of Air Force members and their families, you should be aware of its provisions. Public Law 92-425, Survivor Benefit Plan, replaced the Retired Serviceman's Family Protection Plan for active duty members. At retirement, members may now elect to provide a monthly annuity up to 55% of their retired pay to their spouse and/or children or, in the absence of such dependents, certain other eligible persons. The Survivor Benefit Plan also has an additional active duty service benefit for the member who has over 20 years active duty. Should this member die on active duty, his spouse will receive 55% of the retired pay which he would have been eligible to receive had he retired. Survivor Benefit Plan will complement the Dependency and Indemnity Compensation, which is paid whenever a member dies on active duty, to reach this 55% figure. This feature is FREE as costs are not deducted until the member enters retired status. The member is provided comprehensive counseling during retirement processing as the law has an "Automatic-in" feature unless the member declines coverage or elects less than full participation in the Survivor Benefit Plan. Since this plan to be most effective must be tailored to an individual family situation, it is necessary that personalized counseling be provided in each case. You may wish to have your casualty assistance representative explain in further detail the plan as it pertains to your family.

We will continue to keep you advised of current information on a timely basis.

Sincerely

J. G. LUTHER

J. G. LUTHER, Colonel, USAF
Directorate of Personnel Services

3 Atch
1. Personal [illegible]

POWER OF ATTORNEY

Public Law 92-540 signed by the President on 24 October 1972 amends the Soldiers' and Sailors' Civil Relief Act to extend a power of attorney executed by a service member who is now listed as MIA/PW. The power of attorney must have expired after the member entered a MIA/PW status and must designate the member's wife, parent, or other named relative as his attorney in fact. This new law may or may not be effective in facilitating commercial transactions initiated by MIA/PW next of kin, since the consummation of such commercial transactions as the conveyance of real property and the transfer of securities is primarily a matter of local law. A power of attorney executed after 22 January 1973 may not be extended under the law if the document clearly indicates that the power granted expires on the date specified even though that person, after the date of execution of the document, enters a missing status. See your legal assistance officer for further explanation of how this new law affects you.

NEW RULING BY VA CONCERNING SGLI PAYMENTS

We are pleased to report that the Veterans Administration has informed us that they have modified a previous ruling concerning the amount of Servicemen's Group Life Insurance which will be paid when it is determined that a member now carried in a missing status actually died at a time when a lesser amount of SGLI was payable. As was discussed during our briefings last summer, the VA formerly told us that they would pay only $10,000 in those cases in which it was determined that a member actually died prior to 25 June 1970, which was the date the amount of SGLI was increased to $15,000. As a result of discussions with Service representatives and other interested parties, the VA now states that the amount of SGLI which will be payable will be the amount of insurance in effect on the date the Secretary of the Service concerned or his designee actually makes the determination or presumptive finding of death. This means that in all future cases in which determinations or findings are made the amount of SGLI payable will be $15,000.