



NATIONAL LEAGUE OF FAMILIES
OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA
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April 14, 1995

The Honorable Robert K. Dornan
1201 Longworth Building
Washington, D.C. 20515

Dear Bob:

You will be disheartened to read the enclosed materials which reveal the extent to which the U.S. Government has distorted accountability on a missing American whose case is quite familiar to you. With your tremendous recall ability, you will likely remember having participated, with Mary Lou Hall and me, in the status review hearing regarding CAPT Harley H. Hall, USN. As you know, CAPT Hall was carried by the U.S. Government as a POW and last-known-alive discrepancy case; he has been determined to be "administratively accounted for" on the basis of three front teeth with no chain of custody.

I had spoken with many government officials in an effort to stop what subsequently occurred. Although no agency or department appears to actually have made the decision to accept the teeth as accountability, CAPT Hall's name was removed from the list of Americans missing and unaccounted for from the Vietnam War. In the Secretary of the Navy's 13 December 1994 letter to Mary Lou, he stated, "It is our painful conclusion that the AFIRB (Armed Forces Identification Review Board) was correct in its decision to approve the recommended identification. Consequently, we also concur with the decision to list your husband as 'accounted for' based on this identification."

The AFIRB claims to make no decisions regarding acceptance of identified remains, in this case the three teeth with no chain of custody, as accountability. They state that such decisions are made by others. It appears that all believe the decision is made by the Department of Defense POW/MIA Office; however, there was no review of CAPT Hall's case by that office. In fact, CAPT Hall's name was simply removed at the administrative staff level, based upon receipt of official notice from the AFIRB accepting the teeth as those of CAPT Hall.

Mary Lou does not contest the identification of the teeth as her husband's. She does, however, hold the view that due to known facts surrounding her husband's incident on the very last day of the war, three teeth with no chain of custody are an unacceptable basis on which to account for an American who was seen ejecting from his aircraft. This is especially true in light of credible U.S. intelligence and other evidence, mostly ignored by this Administration, that Vietnam continues to withhold remains that would likely account for hundreds of Americans and records that could help resolve other discrepancies.

Our mutual friend Dick Childress did an analysis of this case at Mary Lou's request. You will note from Childress' analysis and other materials that DIA POW/MIA specialists cited Vietnamese stories as "concocted" and not believable. The League's pro-bono counsel, Jane Durgom-Powers, and I are pursuing an administrative hearing to restore CAPT Hall to the list of Americans for whom the U.S. Government seeks to account, a step unanimously supported by the League's board of directors.

You will also find enclosed self-explanatory letters, with documents, questioning the process. The League deeply regrets that this problem has arisen; however, acceptance of the teeth with no chain of custody totally undercuts the principles of accountability on which the POW/MIA families have relied. Although the League routinely does not involve itself in individual cases, the circumstances surrounding CAPT Hall's incident and subsequent decisions regarding accountability prompted a specific request that his name be restored to the list of U.S. personnel still missing and unaccounted for from the Vietnam War. That resolution was distributed in the League's March 24th newsletter.

Very importantly, the League believes that hearings before your Subcommittee on Military Personnel are urgently needed, certainly before final approval of the Defense Authorization Bill and the League's 26th Annual Meeting in July. Events surrounding this case hit the core principles of accountability. This example is only one of many that need to be pursued in oversight hearings, and timing is critical. Congress needs to look carefully at the efforts of Joint Task Force-Full Accounting (JTF-FA) under CINCPAC, Central Identification Laboratory (CILHI) in Hawaii, Life Sciences Equipment Laboratory (LSEL) in San Antonio and the Defense POW/MIA Office, as well as the degree and substance of support provided by the DOD leadership.

You have seen the push by some in the Congress, including John McCain, for full normalization of economic and political relations with Vietnam; a "Coalition for U.S.-Vietnam Trade" has been formed to lobby Congress and the Administration. This push is being made regardless of whether or not Hanoi has unilaterally provided the accounting, in terms of remains and records, that U.S. intelligence and other evidence maintain Vietnam should be able to provide.

I look forward to talking with you as soon as possible. Please ask your staff assistant responsible for foreign policy and POW/MIA matters to call me about the hearing structure. The League's realistic, long-standing objective of achieving the fullest possible accounting is being destroyed by a false impression, generated purposely, that Hanoi is co-operating fully. That is untrue; Congress and the American people need to know the facts.

Sincerely,



Ann Mills Griffiths
Executive Director

Enclosures