



**DEPARTMENT OF THE ARMY  
U.S. ARMY HUMAN RESOURCES COMMAND  
1600 SPEARHEAD DIVISION AVENUE, DEPARTMENT 450  
FORT KNOX, KY 40122-5405**

September 20, 2018

Casualty and Mortuary Affairs

The Honorable Gary Peters  
Unites States Senate  
Hart Senate Office Building, Suite 724  
Washington, DC 20510

Dear Senator Peters:

This is in response to your inquiry on behalf of your constituent, Ms. Donna Ellis. Ms. Ellis is seeking information concerning eligibility for inclusion on the Vietnam Veterans Memorial for Soldiers killed on Flying Tiger Line Flight 739/14, which disappeared over the Pacific Ocean on March 16, 1962. Thank you for your interest in helping the Family of one of our fallen Soldiers.

The 93 Soldiers killed in that crash served with distinction in the United States Army. However, Department of Defense Instruction (DoDI) 1300.18 details eligibility for inclusion on the Vietnam Veterans Memorial. DoDI 1300.18 states a veteran's death must have been the result of, or an aftermath of, wounds received in the defined combat area of Vietnam as outlined in Executive Order 11216. Eligibility also includes those who died from injuries received enroute to, or returning from a direct combat mission or combat support mission to bomb, strafe, or perform surveillance of targets within the defined combat area.

Regrettably, although the Soldiers were enroute to a combat area, the flight itself was not enroute to or returning from a direct combat or combat support mission. The flight was a personnel transport flight enroute to Vietnam and it had not entered the defined combat area of Vietnam. This, by no means, lessens the great contributions the Soldiers made to the United States and the United States Army.

In March 1993, officials of the Department of Defense and officers of the Vietnam Veterans Memorial Fund (VVMF), a private organization that administers the Vietnam Veterans Memorial, met to discuss expanding the criteria to include those who died as a result of disease contracted during the conflict, specifically those diseases related to Agent Orange exposure. The consensus was the criteria should not be expanded beyond the original intent, i.e., to recognize those Service Members who died as a result of combat with enemy forces or direct combat support.

If a loved one is not eligible to have their name placed on the Vietnam Veterans Memorial, there is the VVMF program called "In Memory." VVMF's In Memory program honors those who died as a result of the Vietnam War, but whose deaths do not fit the Department of Defense criteria for inclusion on the Vietnam Veterans Memorial. For more information about the In Memory Day ceremony, visit the VVMF website at [www.vvmf.org](http://www.vvmf.org). For a copy of the In Memory application, download the online version, or contact VVMF at 202-393-0090 or by e-mail at [vvmf@vvmf.org](mailto:vvmf@vvmf.org).

I realize this is not the answer Ms. Ellis is seeking, but the Army is bound by the final decision made by the Department of Defense and the Vietnam Veterans Memorial Fund. Thank you for your steadfast support of our Soldiers, Families, and the programs that support them.

Sincerely,

*for* 

Cheryl L. Martinez  
Colonel, U.S. Army  
Chief, Casualty and Mortuary  
Affairs Operations Division