

## Status of Missing POWs

### New York

U.S. District Judge Charles M. Metzger yesterday ordered the armed forces to stop reclassifying missing men as dead.

He also directed the convening of a three-judge federal court to settle constitutional questions involved.

Judge Metzger said the five claimants, all relatives of missing servicemen, would "suffer irreparable harm if the administrative procedures are permitted to continue as presently conducted."

He agreed with the contention of wives and mothers of men missing in Indochina that the lost men would no longer be entitled to further search if declared officially dead.

Such search is provided for in the Paris agreement between the United States and North Vietnam.

Moreover, a finding of death ends the accrual of a lost man's pay and the payment of monthly allowances to dependents.

Judge Metzger did not set a date for convening the three-judge court. He said the key question will be whether current procedures for reclassifying missing servicemen deny their next of kin the constitutional right of due process.

The claimants maintain that unilateral military decisions have that effect.

*Associated Press*

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