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OVERSIGHT AND STATUS OF POW/MIA ACTIVITIES

HEARING

BEFORE THE

MILITARY PERSONNEL SUBCOMMITTEE

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

HEARING HELD
JULY 10, 2008

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OVERSIGHT AND STATUS OF POW/MIA ACTIVITIES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
MILITARY PERSONNEL SUBCOMMITTEE,
Washington, DC, Thursday, July 10, 2008.

The subcommittee met, pursuant to call, at 2:00 p.m. in room 2212, Rayburn House Office Building, Hon. Susan A. Davis (chairwoman of the subcommittee) presiding.

OPENING STATEMENT OF HON. SUSAN A. DAVIS, A REPRESENTATIVE FROM CALIFORNIA, CHAIRWOMAN, MILITARY PERSONNEL SUBCOMMITTEE

Mrs. DAVIS. Good afternoon. The hearing will come to order. And I want to thank our witnesses for coming. We certainly appreciate your being here with us. We know this is a very important topic.

Our hearing today focuses on the status of Prisoner of War (POW)/Missing in Action (MIA) activities which this subcommittee has been tasked with overseeing.

The last subcommittee oversight hearing on POW/MIA activities was back in October of 1998, 10 years ago. However, while the subcommittee did not hold hearings in the intervening years it has not forgotten its oversight responsibility nor has it been sitting idly by on this issue. And I know certainly that the ranking chair, Mr. McHugh, has been involved in this discussion over the last number of years as well, so we will look forward to the discussion.

The subcommittee put forward a number of initiatives which have become law. For example, it is the sense of Congress that the United States should pursue every lead and otherwise maintain a relentless and thorough quest to completely account for the fates of those members of the Armed Forces who are missing or otherwise unaccounted for.

The Department of Defense (DOD) is required to maintain a minimum level of personnel and budget resources for POW/MIA programs. The Secretary of Defense is required to submit a consolidated budget justification display that includes prior year and future year funding for specified organizations supporting POW/MIA activities of the Department of Defense as part of the President's annual budget request. And the committee increased funding for the joint POW/MIA Accounting Command by $7.5 million and the Defense Prisoner of War Missing Personnel Office by $200,000 above the President's budget request for fiscal year 2008.

So suffice it to say, the subcommittee remains dedicated to the full accounting of all American POWs and those missing in action. We owe it to their families, but most importantly we owe it also to the men and women who are currently serving in uniform.

We know we have many priorities today, no question about that. So while we focus on those who are serving in harm's way today, we also want to give closure to those wonderful families who have sacrificed so much and whose loved ones still are missing and we want to recover.

So I want to welcome the Honorable Charles A. Ray, Deputy Assistant Secretary of Defense for POW Missing Personnel Affairs and Rear Admiral Donna L. Crisp, Commander, Joint POW/MIA Accounting Command. Ambassador, Admiral, welcome once again. I would ask that you testify in order that I stated.

And I know that my colleague Mr. McHugh also has some remarks to make. Mr. McHugh.

[The prepared statement of Mrs. Davis can be found in the Appendix on page 35.]

STATEMENT OF HON. JOHN M. MCHUGH, A REPRESENTATIVE FROM NEW YORK, RANKING MEMBER, MILITARY PERSONNEL SUBCOMMITTEE

Mr. MCHUGH. Thank you, Madam Chair. Well, I certainly want to add my words of welcome to our two distinguished witnesses. Mr. Ambassador, Admiral, thank you both for being here. And of course equally important for the great job you do. And I might add I got to see a little bit of that first-hand in 2005 when I went to Vietnam and Laos and saw the good folks who do the very obviously important but very dangerous mission of going into the field and doing field activities, the very risky effort they put forward to, as the Chair stated so very correctly, something so important. This for over 30 years has been a national security for this government to achieve the fullest possible accounting of all those Americans missing or as prisoners of war as a result of conflicts of first the 20th and now the 21st century, and the challenges in achieving that fullest possible accounting are many, as I know you two know so very well.

Just the numbers, I had a chance to review those, who yet today remain unaccounted for in spite of all the efforts for these past years for America's 20th century conflicts are staggering: 73,374 from World War II, 8,055 from Korea, 127 from the Cold War, and 1,757 from the Vietnam War. And even as we find today in places like Iraq and Afghanistan where our forces are operating and searching in areas that are present with our military and civilian personnel, there is no certain result. In short, this is very, very difficult and very, very hard work. But still the fact of the matter is there will be no fullest possible accounting without the cooperation of governments who in the past were not always our best of friends and allies and getting China or North Korea or Vietnam or even Russia, by way of example, to open their archives, their lands, their waters and people to research and discovery or persuading them to make the unilateral revelations which we happen to believe are critical and we happen to believe as well they are very capable of doing.

It requires more than just a DOD effort, at least in my judgment. I think it takes an integrated national strategy involving both the executive and the legislative branches of our government, and that kind of integrated effort is absolutely essential.

In that regard I want to pay my compliments to the gentlelady, the distinguished Chair, for having the foresight and the concern to call this hearing. And clearly our two witnesses today, as you know, Madam Chair, had the two largest DOD organizations involved in the accounting effort. And I think while both organizations have come in for their fair share of criticism over the years without the Defense Prisoner of War/Missing Personnel Office (DPMO) or without Joint Prisoner of War/Missing in Action Accounting Command (JPAC) or organizations like them, we would have no progress at all, it seems to me, toward that very important national objective of the fullest possible accounting. I know over the last several years, as you noted Madam Chair, the subcommittee has been concerned that while the accounting missions being assigned or assumed by both organizations were expending the resources that were being provided were not. And the Chairlady cited some of the increases and some of the beneficial effect that this Congress has tried to have.

But I think it is our view that, certainly my view, that in the competition for limited budget dollars neither DOD nor the Pacific Command have been fully committed to fully resourcing the accounting effort. And I would hope today's hearing will provide us with the opportunity to further examine those resourcing questions, and of course looking forward to the discussion today that might as well help us get some perspective on what kinds of adjustments we can make to the strategy and approach both DOD and JPAC believe are needed.

So thank you again for being here. And Madam Chair, again with my appreciation to you for holding this hearing, I yield back and look forward to the testimony.

[The prepared statement of Mr. McHugh can be found in the Appendix on page 38.]

Mrs. DAVIS. Thank you. Thank you, Mr. McHugh. Ambassador Ray, would you like to start?

STATEMENT OF AMBASSADOR CHARLES A. RAY, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR POW/MISSING PERSONNEL AFFAIRS

Ambassador RAY. Thank you, Madam Chairwoman, Mr. McHugh, distinguished members of the subcommittee, I would like to thank you very much for the opportunity to appear today to update you on the current state of our mission to account for the Nation's missing service personnel.

As the Deputy Assistant Secretary of Defense for Prisoners of War Missing Personnel Affairs, I am responsible for policy oversight of this mission and for carrying out those policies established by the Secretary of Defense. Our worldwide team is made up of more than 600 specialists, men and women who are recognized as top professionals in their areas of science, intelligence, historical analysis, public outreach, family support and foreign area analysis.

My team here in Washington drafts the policies which will lead us to the fullest possible accounting of our missing. We negotiate with foreign governments, draft and coordinate agreements and arrangements throughout the U.S. Government. It also declassifies and releases information to MIA families, to the public and to the

Congress and provides support and assistance to our field operational agencies.

Coming out of my final combat tour in the Vietnam War in the early 1970's, I was a bit skeptical, and I really had no expectation that our government would keep up the search for our missing, many of whom were personal comrades of mine. I thought maybe it would be done for a couple of years, but certainly not for more than three decades and beyond. I am happy now to sit here before you over 30 years later and say that mission continues, and the personal commitment by our worldwide team continues.

Our 600 team members are posted in Washington, in Hawaii, in Rockville, Maryland, in Texas, in Russia, Thailand, Vietnam and Laos. Their travels take them to remote and inhospitable former battlefields where encounters with diseases, snakes and unexploded ordnance confirm that our mission today is not without risk. Nine Americans have lost their lives while pursuing the effort to account for our missing from past conflicts.

Our mission of accounting for the missing is the embodiment of this Nation's commitment to those it sends into harm's way. We are keeping that promise to every soldier, sailor, airman and Marine and to their families that should you fall in battle this government will make every effort to return you to the loving arms of your family.

For example, the more than 2,500 who were once missing from the Vietnam War our team has accounted for 889 and returned them home for burial with full military honors. Another 1,757 are still unaccounted for from that conflict, of which the remains of more than 650 we deem no longer recoverable. There is in addition another 127 from the Cold War period, almost 8,100 from the Korean War and more than 74,000 from World War II. It is comprising nearly 84,000 from those conflicts who are still unaccounted for. And while we may be pleased with what we have been able to accomplish, all of us constantly seek ways to improve our work to locate, identify and return these heroes to their families as quickly as we can.

In that regard we face the challenges of time, the environment, disappearing witnesses, and a loss of possible crash or burial sites from conflicts of more than 60 years ago. We are always exploring options, looking for ways that we can carry out this mission better and faster. We owe that at least to missing service members and to their families.

You only have to visit the central identification lab at JPAC in Hawaii to know what advances their scientists have brought to the world of forensic anthropology. As I note in all of our presentation to the families of the missing and to our veterans, it is not Crime Scene Investigation (CSI) Miami. This is the real world where JPAC scientists and team members don't have the luxury of writing a script so that the case is solved in less than an hour. They are the ones who are forced to work with the cards they have been dealt. And while I don't pretend to be expert in the advances in science that they are responsible for, I do know they are always leaning forward trying to do more and more all in the name of that missing serviceman.

You will soon hear from Rear Admiral Donna Crisp, JPAC's Commander, about how her unit, through field operations, carries out the Department of Defense policies. I never met a senior officer of the United States military who set the bar so high for her people and for our mission. Admiral Crisp and I confer almost daily on one issue or another. But I believe I am safe in saying that every conversation, every single conversation, is ultimately about the family members and how we might do our work better and faster.

Even though we all speak proudly of what we have been able to accomplish with your help, it is simply not acceptable that many family members have had to wait decades for answers. I wish it were otherwise, but realities being what they are we are pushing the envelope every day of every year.

To take advantage of the brightest minds in our field I formed a senior study group of senior government experts to advise me on the way ahead in accounting for missing Americans. Put simply, I wanted to be sure that every agency which had equities in the personnel accounting mission had an opportunity to periodically review where we are going and where we have been.

The core membership of this group includes my organization, Defense Prisoner of War Missing Personnel Office, JPAC, the Armed Forces Deoxyribonucleic Acid (DNA) Identification Lab, the Live Sciences Equipment Lab, the U.S. Pacific Command, U.S. European Command, each of the military services and the Joint Staff. The senior study group principals, those of flag or general rank, are represented at our periodic meetings by colonels, Navy captains or senior civilians. We meet not less than twice a year and discuss issues with the goal of making recommendations to increase efficiency and effectiveness in the accounting mission. This group gives Admiral Crisp and me the benefit of input from a wide range of experts and policymakers. But more importantly, it forces all of us to look at the future and seek to make wise decisions as we move this mission forward.

Now, while I know the primary focus of these hearings is accounting for the missing from past conflicts, we must continue to look to the future as well to be better prepared to deal with the results of current and future conflicts. One of our responsibilities is that of establishing and overseeing U.S. policies on personnel recovery. In the current conflicts personnel recovery saves lives, it brings Americans home again alive. It is far broader than just combat search and rescue as it involves a wide range of options available to the government to bring our people out of harm's way, out of captivity and out of isolation behind hostile lines. At some point in the not too distant future we have to be prepared to make a transition from current conflict accounting to include personnel recovery to post-conflict accounting. And if we don't make the right decisions, the right policies now, then I don't believe we are living up to the promises to our men and women in uniform or to their families.

I would like now to address briefly our work around the globe. In a general sense I believe our work in Southeast Asia goes well. We enjoy a continued positive relationship with Cambodia, with their senior leaders and other officials cooperating in every way possible to help us accomplish our mission. We are at a point

where we will gradually begin reducing operations there because we have exhausted existing leads. But as always, we will continue to review individual cases to reinvestigate any where additional leads offer new information.

We would like to see a faster pace of progress in Laos but we won't be deterred. Recent changes in some key personnel have not appeared to have a negative impact on our work. We note that the 25th anniversary this year of joint U.S.-Lao cooperation. It is theoretically possible that some of our younger team members who are working this issue there weren't even born when the first U.S.-Lao team carried out its mission. And to some, to me definitely, that is the embodiment of our motto, keeping the promise. Both the families and the government teams are now drawing from a younger generation, but the commitment and the determination remain firm. Both the U.S. and Laos have now agreed to exchange defense attaches, a step in our relationship which I think will contribute positively toward the effective use of our resources there. Now, there still exists a backlog of cases to be worked in Laos, but we are working to address this with the Laos government on a continuing basis.

Our working relationship with Vietnam is showing steady progress. The economic relationship between the two countries continues to grow. Yet as we saw last month, the POW/MIA issue remains a key area of discussion in every meeting with Vietnamese officials. Military-to-military exchanges continue to evolve, offering yet another avenue to improve the bilateral relationship, and I believe this can only benefit our mission. This year we will hold a 20-year assessment of U.S. and Vietnamese cooperation. We will continue to work to bring the benefits of the evolving bilateral relationship to bear on the accounting mission to make it more effective and more efficient.

So what does the future hold? To put the Vietnam War in context, it has been more than 40 years since the first U.S. losses there. By comparison, 40 years after World War II we were in the Reagan Administration. The world changed dramatically in those years. Former enemies became allies. We see that same evolution in Southeast Asia, and as our relations improve it should aid our accounting efforts. As dramatic as those changes were following World War II, since Vietnam we have seen profound movement on our issue, including the rising profile of World War II and Korean War families and more recently the direct threats to our national security from terrorism. We are all certainly aware that the competition for resources within our government is fierce and something we have to deal with on virtually a daily basis. I think sometimes we exceed their expectations.

The Founding Fathers intended that there be constraints on the executive branch and that all branches of government function more effectively when there is coordination and cooperation among them. And we recognize, and I would like to express my personal and professional appreciation for the longstanding interest and deep support for this mission by this subcommittee. This coordination is especially important in activities relating to security and foreign affairs. As well, ours is a humanitarian mission, not linked directly to other activities, we are affected by and we do affect

them. Our activities then must be coordinated fully within the interagency community and with the Congress so that we proceed with full awareness of any impacts across the entire government.

So that we are humanitarian, we do not operate without limits. Some of those limits are legal and constitutional, some are bureaucratic, but like budgetary constraints they serve to shape our actions.

Our work continues in seeking to account for the missing from the Korean War and World War II. We negotiated an arrangement with the Democratic People's Republic of Korea to begin recovery operations there in the summer of 1996, and since that time as a result of annual negotiations in 33 joint field operations our teams recovered the remains believed to be those of 229 Americans. Of those, JPAC scientists have identified 61 and returned them to their families.

We temporarily suspended remains recovery operations in North Korea in the spring of 2005 and JPAC redirected more teams to South Korea and to other parts of the world. The forensic identification work in the lab continues, however, with the remains that were already recovered. And our teams continue to locate and identify the remains of servicemen lost during World War II in the South Pacific and Central Europe and South America and even in North America. To the families of those missing from this war and others we often see shock and amazement that the government has not forgotten their loved one's sacrifices.

I would like to close my formal statement today by reaffirming our commitment to keeping our MIA families fully informed of the work we are doing on their behalf. All of our investigative case files are available to family members for review either in person or by mail. For certain intelligence information may be classified, we declassify it for them. And each month we send a team of 30 to 40 of our specialists into hometowns around the country where these families live to update them on their cases and to make our scientists and analysts available to them for questions.

In addition, we meet annually in Washington with Korean Cold War families and with Vietnam War families. Through these two programs we have met face-to-face since 1995 with more than 14,000 family members. We take very seriously our obligation to keep the families, the American public, and the Congress fully informed about what some consider our sacred mission.

I appreciate the opportunity you have given us today, and I will be pleased to respond to your questions. Thank you.

[The prepared statement of Ambassador Ray can be found in the Appendix on page 40.]

Mrs. DAVIS. Thank you. Admiral Crisp.

STATEMENT OF REAR ADM. DONNA L. CRISP, USN, COMMANDER, JOINT POW/MIA ACCOUNTING COMMAND

Admiral CRISP. Madam Chair, members of the committee, this is the first time I am coming before you as the Commander of the Joint Prisoner of War/Missing in Action Accounting Command. I want to thank you for your support for personnel accounting, and I also want to thank you for your support to the military in uniform both abroad and at home, for civilians who have been lost in

the field, for the veterans who focus on passionately returning their comrades back home, and for the families who have waited so long for those that are missing to return. So thank you so much for your support.

As you heard from Ambassador Ray, JPAC is an integral part of the Department of Defense. It is a humanitarian mission, it is a global mission. We research, we investigate, we recover, and we identify military and civilians who gave their lives for our country and our freedom.

We have an detachment in Thailand that provides logistic support for our detachment in Vietnam and Laos. Thailand also does the missions for Cambodia, India and Papua New Guinea.

We are also home to the world's largest skeletal forensic lab. And this is a really great lab, a world class lab. And just to show you how proud I am of them, they have just completed re-accreditation on international standards by the American Society of Crime Labs with nothing wrong in the entire laboratory. So I am real proud of them, and I am sure that you are as well.

JPAC currently has 354 personnel, both military and civilian, working on board. We have 251 military and 103 civilians. We maintain a very high operational tempo. We do about 70 missions a year. That includes research and investigation missions. And the deployment tempo is 113 days average deploy time per employee.

This year we have gone to 15 countries to look for both World War II, the Korean War and the Vietnam War. We have been to Cambodia, Vietnam, Laos, Papua New Guinea, Palau, the Solomon Islands, South Korea, Japan, Pagan Islands, Canada, Belgium, Poland, Hungary, Germany and France.

As Ambassador Ray noted in his remarks, we talk together on a daily basis. I seek his frank advice and our team, both JPAC and DPMO, work together for a unity of effort. Our whole focus is accounting for those missing in action.

Mrs. DAVIS. Excuse me, Admiral Crisp, if I could just let you know, we have a vote in about 10 minutes. So if you could take about another 4 or 5 minutes and then we are going to have to go vote and we will come back. If it is possible to complete your remarks that would be great, and then we will come back for questions.

Admiral CRISP. Okay.

Basically this year, what we have done this year in Vietnam, we have done 46 missions, and 16 for World War II and five for Korea. We have done a lot of host nation work. We have an operational plan that is out that we are reviewing. JPAC coordinates with host nations and also primary U.S. agencies to ensure mission success. In the past six months we have done extensive bilateral discussions with many countries. We are very proud we are starting to go back to the Republic of China and do our very first missions with the Republic of India.

I can't over-emphasize the support of the host nations. Wherever we go they really want to help us find our ancestors that are missing from past conflicts. In Cambodia they set the standard, they are very cooperative, they are the blueprint by which other nations should follow. Laos People's Democratic Republic, they have sus-

tained cooperation for 25 years. We have issues that we work through, but all in all that is a tremendously cooperative nation.

The Socialist Republic of Vietnam we continue with a measured approach. We are marking our 20 years of regular operations. And in September we are hosting a meeting and we are going to basically work at reassessing everything we have done in the past and how we can do a better job in the future.

The Republic of Korea I have worked with closely. We have a similar organization called Republic of Korea's Ministry of National Defense Agency for Killed in Action Recovery and Identification (MAKRI) that looks for 130,000 Koreans that have been lost during the Korean War. I met last month with the Vice Minister of National Defense and we talked about a memorandum of understanding between MAKRI and ourselves and pledged that we would work closely with the Republic of Korea.

Papua New Guinea I can't say enough of. What a wonderful group of people. They are always open and we spend time and we go into the field. They provide support, safety and security for our people. So basically we are in consonance with your 2000 congressional direction to work closely with them, and I report back they are a fantastic people.

People's Republic of China, we just started renegotiations with them after five years of not going there. Again, we are working very hard with the support. We are focused on going into a mission in Dandung, which is for the Korean War. And so as soon as the Olympics are over we will start back up again with negotiations with the Republic of China.

The Republic of India has embraced us coming there. We meet monthly, and we are hoping to do several recoveries in 2009.

In Europe, although 78 percent of JPAC's work is in the Pacific Area of Responsibility (AOR), we do spend time in Europe. Much of it is burials and graves that people find. And so we send teams into the field to work those. My commander's priorities are basically safety first, safety for our teams and our people. That is always the most important. As Ambassador Ray mentioned, it is a dangerous business. And so if at any time I feel our troops are in danger I will call off a mission, and I have already done that once this year.

Quality of life and quality of service, you can't beat having a great working environment. And so my focus has been to ensure that the people of JPAC have good office spaces, have a good working environment, a place where they are proud to bring their parents and their families. We have done a lot of innovative things doing military to civilian conversion. I am studying the pay structure under the national security personnel system. I am looking at recruiting and retention for our laboratory and our scientists. I want to make sure that everything that you have approved for the Department of Defense to do in anything that deals with human resource management, we are going to use all of those enablers to ensure that JPAC has the finest staff that we can have.

Our headquarters building is on track and we really appreciate that. We are split up on three different bases. We have got people in 10 trailers. But the bottom line is you have given us the money for the design, we are going ahead with that. The military con-

struction (MILCON) is on track. And so again I appreciate your support.

Continuous improvement is an area that I love to focus in personally. And so Ambassador Ray and I have really embraced the challenge of looking at every single facet of personnel accounting and looking at it from a Lean Six Sigma kind of perspective of checking every function to make sure it is optimum and effective.

In the area of technology application we have a geographic information system; in a nutshell is we are taking all the legacy data that has existed in people's files and we are putting it together so that if you are in the field and you want to know information on a site you are going to, you can click a button and find out everything that has happened, to include if there is any avian flu in that area.

Phase two testing is a very old standard way of doing business in anthropology, archeology. We have just embraced it, and I think it is going to save us a lot of money and time.

In closing, thank you for having me here to address you. The two of us work together. And all we focus on is soldiers, sailors, airmen and Marines and dedicated civilians who gave their lives for our country so that we can bring them home. So thank you very much for having me, and I look forward to your questions.

[The prepared statement of Admiral Crisp can be found in the Appendix on page 46.]

Mrs. DAVIS. Thank you, Admiral Crisp and Mr. Ambassador. We are going to go vote. Members are going to have to rush down there really quickly. It could be about 40 minutes, 45 minutes. So we certainly appreciate your being here. We wish we could have a hearing that was all together, but that doesn't always work for us. At least we got through your two presentations, and we appreciate that. We will be back. Thank you.

[Recess.]

Mrs. DAVIS. Well, thank you to everyone in the room. I know how warm it is in here, and we know it was a long wait. I estimated about 45 minutes. Sorry, I was really off. It is hard to tell. I just want to thank you again for your patience.

Ambassador Ray, why don't I just start with you? I think we will have a few members coming in, but I am afraid that we have got some flights going and so members were not able to stay.

In 2007, the Department sent to Congress a report regarding the organization management and budgeting of the Joint POW/MIA Accounting Command, and it stated that the Department has implemented steps that resulted in the improvements and organization management of budget of JPAC. And I know you have been through a number of areas, but could you try and just very specifically and pointed tell us what those were, what improvements you think an organization management budget occurred and whether or not they have begun some of those improvements and where you are in that process in the most significant areas that you would pinpoint for us? And also could you share with us the results of the review that looked at decreasing the time between recovery and identification and what recommendations came as a result of that review?

Ambassador RAY. Thank you, Madam Chairman. On the issue of what efficiencies we have instituted, on the one hand the personnel accounting budget exhibit which we do has helped give us much more visibility across the community in the budgeting in terms of what is requested, what is needed and what is actually made available. And it has enabled me to be more effective and responsive in advocating when there are the occasional budget difficulties. The other area that we have made improvements, as I mentioned in my opening statement, is the institution of the senior study group. What this has done has enabled us to apply expertise across the community, not only to the problems that have been identified in past communication with the committee and with other Members of Congress, but to look forward at those things that might be problems in the future and to look at where we can find new efficiencies. And these are some of the general areas where we have achieved some improvement in process.

And as Admiral Crisp said, we have also begun the process of applying business methods to everything we do. And Lean Six Sigma is just one. I mean, I apply my grandmother's common sense method, is look at it and if it ain't working figure out a new way to do it rather than do the same thing over and over again and look for a different result.

And on the second question, if I may, I would defer to Admiral Crisp on that, is that the identification process is part of her command and she is much more I think qualified to address what efficiencies and changes have taken place in that area than I would be.

Mrs. DAVIS. Okay. Thank you. That would be great. And I wanted to come back to just one of the budget comments you made. Go ahead.

Admiral CRISP. One of the two most important changes that we have done as a department, the first one I would say was in the year 2006. And as a result of looking at the individuals that came out of punch bowl from the Korean War where the remains had been covered with a powder which destroyed DNA, Armed Forces DNA Identification Laboratory (AFDIL) did a considerable amount of research and it allows you—it is basically called the demineralization process. And let me explain it this way. If you were to look at a picture of a skeleton several years ago, you would see that you would have to have your giant leg bones, your femurs. And that would be your only bones for 90 percent identification. Now, after all the research and discoveries, mostly to try to figure out how to do the unknowns at Korea, your entire skeleton will give you a 90 percent identification. And instead of having to have a sample that is 2 grams, it is .2 grams. So that will accelerate the time between recovery and identification, particularly for the Vietnam War where the pieces that you find are so small. So that is an innovation in science, particularly as we tried to figure out Korean remains. That has helped all of the Vietnam identifications.

For Korea itself, one of the things that the scientists said to me is you know we have these 208 boxes of remains which are probably 400 people, but we have no place to lay them out. Our lab is so small, we just can't lay them out. And so what the Navy has done is helped me find temporary space in Pearl Harbor. And I am

taking the entire floor of an old lab building and I am fixing it up. So by October the laboratory will have increased three times in size and we will for the first time be able to lay out the remains from the Korean War undisturbed on tables so the scientists can begin piecing together all the people that were commingled remains.

So those are the two things that come to mind of innovative things that have happened in the last couple of years to decrease recovery and identification (ID) time.

Mrs. DAVIS. Could you give us just kind of a ballpark figure? I know it would differ between the wars and the time frame. But about how long does that take?

Admiral CRISP. I will be honest with you, some cases I see come in and are solved within a week, and that is if you are lucky enough to find a skull and your teeth. Because if you can find that, you have got it made to identifying a person. After that it could take up to 10 years. Before, if it were just a tiny piece of bone and there was no way I could identify you, you would have been sitting there for years.

Mrs. DAVIS. Does the family reference——

Admiral CRISP. Family reference samples are very important because if you have a large enough sample of bone that you can get a DNA out of it and the family has given a reference sample, preferably through the maternal line, you can——

Mrs. DAVIS. Is it preferably or is it only through the maternal?

Admiral CRISP. Well, I will be honest with you, they are just now finding new ways of doing maternal, but it is not quite ready. So again all these struggles for the Korean War unknowns are producing incredible results for the entire country in DNA analysis. But right now I would say maternal reference.

And so you would have to—I will show you how hard it would be. You might have to go to your grandmother's sister's cousins, because if you didn't happen to have sisters and your mother didn't happen to have sisters, you would have to go to your grandma and start genealogically searching down another path. So I realize some cases are easy and some cases are a lot tougher. Some could take three years to just do the genealogical search to find all of your fourth and fifth cousins.

So that is why it takes long on some cases. Does that answer your question.

Mrs. DAVIS. That is helpful, because I had heard that it is just a very, very long time.

Admiral CRISP. Well, it is. But I will tell you, both Ambassador Ray and I—like I say, every process that we look at we tear apart. So family reference samples is the same process. You cut the—you know, you do the whole reference sample, and then it goes through the services, they do genealogical searches, they find the individuals, they send the sample to AFDIL. And what the two of us are doing, again through a Lean Six Sigma kind of approach, is, okay, where does every sample go, who has got the sample, how long is it there, do they need more people, what do they need to get it done so there is no backlog.

So that is the kind of things that our junior officers and junior civilians are working together on.

Mrs. DAVIS. And that is some of the liaison positions that help and work with the families in that case? Okay. Great. Thank you.

Mr. Ambassador, I will come back in a few minutes. Mr. McHugh, any questions.

Mr. MCHUGH. Thank you Madam Chair. As somebody who lives on the Canadian border I was interested to hear we had an operation in Canada. I thought maybe it was Benedict Arnold back in 1775, but I am told it was a training mission off of Newfoundland.

Admiral CRISP. Yes, sir.

Mr. MCHUGH. I am just curious, was that a success?

Admiral CRISP. It was an underwater investigation and we haven't done it yet.

Mr. MCHUGH. Well, I wish you all the best.

Admiral CRISP. Thank you, sir.

Mr. MCHUGH. I talked about, as the Chair did as well, about resourcing. Obviously, budgets are a difficult thing. There is never enough money to do all we would like to do. Lean Six Sigma comes out of that recognition in part, that you want to do all you can with whatever resources you have available. Still, as we get the submissions for your activities we are told that all your requirements are being fully funded, and yet as we look through from 2009 to fiscal year 2013, and yet as we look at some of the realities I really question if maybe we might go beyond full if you are fully funded. You are authorized for 18 field teams, but we are told you only have sufficient manning for 15. And the question I would have is, do the budgets from 2009 to 2013 provide for full manning of all 18 teams that we have available?

If you want to respond to that, I have got some other pertinent questions.

Admiral CRISP. The manpower authorizations are there. I would say 86 to 90 percent manning. 90 percent, which would be in what we would call a C–1 category, a mission ready category, is a good number. I have never in my 34 years been in a command that was 100 percent manned without ever having a gap. So I—and I have worked through several wars, Vietnam on forward. So if you are a non-combat team and you are anywhere between 86 and 92 percent manned, that would be what I would consider to be optimum in wartime environments.

Mr. MCHUGH. Well, not to nitpick——

Admiral CRISP. Does that——

Mr. MCHUGH. I understand what you are saying, and from a technical perspective on a war basis I guess that is pretty correct. But when you are talking about 18 or 20 divisions, a company here, a platoon there as not rated C–1 is one thing. But when you only have 18 field teams technically authorized to go out and to find the thousands of undiscovered remains, that lack to operate at 100 percent becomes a little bit more important, wouldn't you agree? Is it a question of money or just being able to recruit and get the people into the slot? Let us step beyond the percentage, et cetera. Why are there not 18, if there are not, slots available and funded through 2013, what is the reason? You are not able to get those individuals or you don't expect to have the money?

Admiral CRISP. It would not have to do with money, sir. There are probably a few captain slots that are not filled at the 2004

level. That really doesn't have to do with money. It just deals with manning.

Mr. MCHUGH. So you are not immune from the end strength and deployment problems we are facing across the board?

Admiral CRISP. For the entire Department yes, sir.

Mr. MCHUGH. As I look at the budgets from 2009 through 2013, that fully funded or all requirements funded designation does not of course include North Korea. Mr. Ambassador, in your opening comments you use the phrase temporarily left—someone stole my pad, but I believe it was May of 2005. When are we going back? That was our decision. Let us concede for the moment it was done for a good cause. But that was three years ago.

Ambassador RAY. Sir, we are currently reviewing the circumstances, as all of us are aware that have changed over the last few weeks, and are beginning the effort to get interagency discussions going to make an assessment of what our recommendation to the President and to the national authority would be if the situation continues to develop in a positive direction.

Mr. MCHUGH. Certainly given some of the declarations—I mean, the North Koreans have been taken off the sponsor of state terrorism list. They have had some pretty good developments with respect to denuclearization, et cetera, et cetera. I hope that the way in which we continue over the longer term to express—and I am speaking through you, not at you here, Mr. Ambassador—I would hope the way we continue if we choose to, to express displeasure with some of the actions of the North Koreans are not placed on the backs of those families of those thousands of lost souls in the North Korean theater. And I won't ask you to comment, but I would be surprised if you didn't agree with that as well. And I hope we can reexamine the policy.

But it gets us back to the question, what, for example, would happen if all of a sudden now that theater does become available to us; what do we do on the budgets? Would you expect to be a part of any future supplemental request or have you had an opportunity to think about that?

Ambassador RAY. We have in discussions with the Office of the Defense Comptroller actually addressed this issue. And when we prepared the first budget exhibit, I believe two years ago, the decision was made then. It was recognized that resumption of operations in North Korea would require a significant increase in budget, that that would be funded. I think the additional amount was about $14 million at that time.

Now, that gets adjusted as we continue to take another look at requirements. And it is an estimate at best, because once we do go back in, of course JPAC will have to go back in and examine all of the equipment they left. The question of whether we have to replace all the equipment we left in place we will probably revise that.

I would, based on what I have been told by the comptroller, not assume that this would be a supplemental request but that it would be funded out of other DOD budget lines.

Mr. MCHUGH. But the recognition, more money, would be more essential there; that is the important thing.

Madam Chairman, if I may, just one more quick budget question. I know you have others who want to question, obviously Ms. Tsongas and Ms. Shea-Porter.

Government Accountability Office (GAO) took a look at this program, and how it became directed, and of course, it is rooted in the effort to find all those left behind in Vietnam, but over the years, through regulation and through, to a lesser extent, through statute, it has obviously grown. And now we are covering virtually every theater in which, just about every theater, Americans have found themselves in conflict on.

Budgets are—there is intra- as well as interdepartmental politics afoot, and I don't necessarily mean that in a denigrating way. It is just, it is a fight.

You are not specifically, your current charge is not specifically legislative. Would it help in the budget fight, would it give you a seat closer to the table if, in the discussion of an allocation of resources within the Department, you actually had a congressionally mandated charge to do a broader scope of what you are doing now?

Ambassador RAY. It certainly with not be unwelcome if we had very clear mandates, but we look at what we are required to do and accept it, clearly.

Mr. MCHUGH. Well, it would not change your scope. That is not my objective, and it is not a criticism of what you are doing. I am just trying to say, would that give you and your budget people an additional tool to make the arguments? You know, Congress has told us to do this as well. I mean, we ought to have X dollars more.

Ambassador RAY. I think it probably wouldn't hurt.

Mr. MCHUGH. I mean, that is something we need to take a look at.

Thank you. I appreciate your responses.

And thank you, Madam Chairman.

Mrs. DAVIS. Thank you, Mr. McHugh.

Ms. Tsongas.

Ms. TSONGAS. I would like to thank Chairwoman Davis for holding this important hearing, and I would also like to thank our witnesses for being here today and for the important work that you do.

We all know how families really do need to bring closure, and this allows them to do that, however time consuming and lengthy it may be.

But I would like to ask a question about our current conflicts, in particular the war in Iraq, because I happen to represent a district in which a young man has been missing for over a year.

On May 12, 2007, Sergeant Alex Jimenez of the 10th Mountain Division was ambushed south of Baghdad. There has been no information regarding his whereabouts since that time. And, on June 27, the U.S. Army changed his status from "duty status whereabouts unknown" to "missing or captured."

Sergeant Jimenez, as I said, is from my district. I have met several times with his family, and you can imagine how difficult this past year has been. We can only all be fortified by the kind of inspirational capacity they have had to deal with this.

He is one of three soldiers currently designated as missing, and we pray that each of these young men will return home safely. I

recognize that most of the work that JPAC and DPMO has focused on past conflicts and that we rightly regard unaccounted-for personnel from our current conflicts as recovery missions, but DPMO is the lead agency for personnel policy re-discovery within the Office of the Secretary of Defense.

Ambassador Ray, to the extent possible, could you elaborate on our current policies for recovery in Iraq, particularly given the unique nature of the conflict we are engaged in there?

Ambassador RAY. Thank you, ma'am.

I am responsible for policy formulation for personnel recovery. The actual recovery operations, in an active theater, are the responsibility of the combatant commander, in this case, U.S. Central Command (CENTCOM). We work very closely with them to ensure that they have all of the assets they need to do this, and, to their credit, the fact that we only have three missing says that they are doing a very effective job.

What we are looking at is, the phenomena that has been made clear in this current conflict is that there is a point when personnel recovery becomes active combat theatre personnel accounting. And we are currently working with CENTCOM primarily, but other theatres as well, to develop a policy that recognizes this overlap between accounting and recovery and enables us to make a seamless transition to post-conflict accounting if, in fact, the conflict ends and we haven't settled a case.

At this point, this is still very much a work in progress. We are using lessons learned from our historical accounting from Vietnam and other conflicts. I might add, we are also using the lessons we are learning from the current conflict to help shape more efficient operations in our historical accounting as well.

Ms. TSONGAS. So as that transition is being made, how does that play itself out in the lives of these young men so that we don't—you know, we hear this so often between the transition from active duty to Veterans Affairs (VA) status, how so many people are sort of left in limbo for some time. I am just wondering if the process remains engaged so that all appropriate action is taken to look for these young people in spite of the fact that they have been missing for a year.

Ambassador RAY. Our objective is that there will be no change in the tempo of trying to account for them regardless of the status of the conflict, and that is why I said that we are working very hard to establish a seamless transition so that when someday it is declared that hostilities are ended and that combatant commanders are no longer responsible, from the outside you will see no change in the effort to account for them.

Ms. TSONGAS. And what would you say the tempo is today in terms of the active seeking out and trying to discover their whereabouts?

Ambassador RAY. It is very active. The briefings I get indicate that in many cases some of the units on the ground are taking incredible risks to try and get information as to their whereabouts and status.

Ms. TSONGAS. Thank you.

Mrs. DAVIS. Thank you.

Ms. Shea-Porter.

Ms. SHEA-PORTER. Thank you, Chairwoman, for this very important hearing.

And thank you to the witnesses for coming.

We all share our absolute debt of gratitude to those who served. And to those who didn't come home, we have the debt that we need to find them and bring them. I thank you for the work that you are doing for this.

I, too, have been very concerned about what is happening to those who are missing in action in Iraq, and I want to bring up Commander Speicher and ask how involved are your commands in locating him and the others still missing in action.

Ambassador RAY. Thank you, ma'am.

We currently are required, DPMO, to do a quarterly report to Congress on the efforts to account for Captain Speicher. There are intelligence or information requirements that are active in CENTCOM and other areas whenever there is an interrogation or interview with people. All of these cases, to include Captain Speicher, are included as those elements that we seek information on. That is also a very active case.

Ms. SHEA-PORTER. Okay, and I am sure you are aware of a piece of legislation introduced in the House calling for a Select Committee on POW/MIA Affairs, and both of you have made a career as members of the armed services. Now this part of your job requires you to bring the remains of service members and heroes home to us.

In your professional and personal opinion, do you believe that creating a select committee in Congress would benefit your mission or detract from it?

Ambassador RAY. Ma'am, I have to, there was recently a Department of Defense position provided to a Member of Congress on that. We oppose the establishment of a select committee. From a professional standpoint, I fear that such a committee would be a distraction, could cause us to have to diminish our efforts to our core mission as we respond to the requirements.

And, from my own, I have frequent contact, as do people from JPAC, with this committee. We feel that the current level of interchange and oversight serves the purpose of ensuring that we are doing, that we are following the congressional intent and that we are doing what we can with available resources to serve the American people.

So the bottom line is that we oppose any such establishment.

Ms. SHEA-PORTER. When you say "with available resources," would more resources make the difference, or are we still giving it the straight-out effort, all we could do?

Ambassador RAY. We are still constantly looking at what we could do to see if we are using those resources in the most effective way. I am reluctant to say, give me more resources, until I am sure that I am using the resources you are giving me to the best advantage.

Ms. SHEA-PORTER. Thank you.

Mrs. DAVIS. Thank you, Ms. Shea-Porter.

Could you speak, Ambassador Ray, to the interagency issues around this, because we know that in many ways you and the Department in many ways shoulder the burden here, and, yet, many

other departments, tools of government can also be used in this way? You mention it in your comments, obviously, recent pronouncements coming out of North Korea, will have an effect there.

How do you see that progress? What can you point to that has shifted, changed, been helpful in that area? And are enough of these elements, with whether it is trade, you know—the State Department, I would hope, certainly, is part of this interagency work, but talk to us a little bit more about that. And where do you think some obvious voids are and have not really changed much over the years?

Ambassador RAY. Well, our work with the interagency, Madam Chairman, goes on on a continuous basis. It is a big challenge because, within the interagency, there are a lot of competing elements that have to be balanced.

I would say that, in general, the support that we get from the interagency has been extremely good. We get, from the State Department, outstanding support. A lot of what we are able to do abroad, we could not do if it were not for the support we get from our ambassadors and our consulates and from the geographic bureau of people in the State Department, one, who know the ground much better than we do but who also carry our water for us on many occasions.

Other elements of government, we have had fairly good responses from them and including our issues and their messages to foreign governments when they deal with them.

So I would not characterize it as a void. We don't win every round, but we do, I think, in general, win the war, and that is the interagency. We spend a lot of time making sure that the interagency understands the importance of what we do, and as far as the State Department and the intel community is concerned, they are actually a part of the community, because when we do Southeast Asia, when we do the Korean War, and we do the Cold War, the State Department and the Central Intelligence Agency (CIA) also have missing people in there. And they participate with us in outreach to families.

Other agencies, in general, we get a very good, supportive response from them, the Justice Department. Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) has been very supportive of what we do. And, particularly because we now do the personnel recovery and they have people who are at risk, they understand that we are all in it together and we have to work together.

I would say, in general, interagency support has been good. It can always be better, and that is partly our responsibility to stay out there and make sure that they don't forget, and we keep making it better.

Mrs. DAVIS. Is there an area specifically that you would want to seek some help?

Ambassador RAY. Madam Chairman, I can't at this time think of any area where I would think that there is a void that we needed.

We simply need to keep doing what we do and do it better.

Mrs. DAVIS. But you think that the opportunity to engage where these issues are front and center is there.

Ambassador RAY. Yes, ma'am.

Mrs. DAVIS. Where appropriate?

Ambassador RAY. Yes, ma'am.

Mrs. DAVIS. That is very important, I think, to us, that there is a consistent and strong message in that regard. I would hope that you would call upon us, that you would call upon the interagency to do that.

Ambassador RAY. Yes, ma'am.

Mrs. DAVIS. Because there are some ways in which we can leverage this, and I think it is important that we continue to do that.

Ambassador RAY. Yes, ma'am. Well, I would go so far, if I may, Madam Chairman, to point out that it is not only the interagency, and not just from my position in this job but having served as an ambassador and also as consul general in Ho Chi Min city, that the assistance we have gotten from others in the interagency and from travelling congressional delegations to carry this message to our foreign audiences has been extremely supportive and first-rate.

So what I would say is, we need for people to continue to do what they are currently doing.

Mrs. DAVIS. Thank you.

I am going to go to Mr. McHugh, and then come back for another round.

Mr. MCHUGH. Thank you.

In response to that last very good question, the ambassador's comments, as I mentioned in my opening remarks, I did have a chance to make a trip through Southeast Asia, and I would highly recommend it to any Member who is so disposed, because it is an eye-opener to—I had a vision of people just kind of leisurely walking through fields, kicking over rocks, and it is quite a different challenge than that, rappelling down mountains, climbing up other mountains, as the ambassadors said in his comments, dodging snakes, and hopefully, you are out of there before the monsoon season starts. It really shows the depth of that challenge.

I agree, Mr. Ambassador, the governments in that part of the world, although not as often, not always as forthcoming as we like, certainly from my experience, were very willing to sit down and talk about this. And I hope it helped in some fashion.

I appreciated Ms. Tsongas' comments about Sergeant Jimenez. As someone who has the honor of representing the 10th Mountain Division, I would be remiss if I didn't also add the names of Private First Class (PFC) Byron Fouty and PFC Joseph Anzack, who were also involved in that attack that left two of those brave soldiers missing.

It must be a very sobering pause for good folks like yourselves to remember at times that you are really a big source of hope for people like that, and there is no question involved there, just an underscoring of the importance of the work that you do.

Mr. Ambassador, I appreciated your comments of using resources to their best advantage, and we all like to talk about that in government. It is nice to run into somebody who is actually thoughtful about it and trying to do it.

So let's talk a little bit about the way ahead. It is not quite warm enough in here; let's warm it up a little bit.

You know, we have got a process now that talks about "most recent first", and I can certainly see the efficacy of that. I am not try-

ing to paint a stilted question here one way or another, but there are those who are making the argument to me, and I am sure the Chair and others who have had the discussion, that we are too resource heavy in one area, in this case Southeast Asia, about 70 percent, and the rest is left to go around somewhere else. And if you look at the rate of recoveries in Southeast Asia, they have held relatively steady, while you do have other opportunities in other places.

To what extent and how often do you have a chance to sit down and contemplate that "most recent first"? I could argue in support of that as well. I am not trying to tell you what to do. I am just curious, is that something that comes under thoughtful consideration? And how often do you get a chance to reevaluate that?

Ambassador RAY. Sir, that is something that is currently being reevaluated. It is part of the mission review of the senior study group that I mentioned earlier, and we are looking at what our policy should be across all conflicts, and conflict-specific, and our policy in general.

To address the comment about the resources being applied to one conflict or another, it is true that the Vietnam War takes a rather large portion of the monetary resources. That has to do with the nature of that terrain and the conflict as much as anything. Vietnam operations are much more expensive than others because of the requirement for paying for helicopter support to get teams and equipment to sites. And, as you mentioned, some of these sites are on ridge lines where you can get one helicopter in at a time. With the increase in fuel costs over the last couple of years, our costs to support operations in this area have also increased.

There are other elements, though, of accounting across the conflicts that get left out when we talk about resources, and that is investigations, identifications, and other, and research.

If we were to simply do a mathematical parsing of the money and divide resources up on conflict, on hard mathematical grounds, we run the risk of damaging the gains that we are making across all conflicts. If we were to reduce the resources that we apply now to Southeast Asia, the fairly slow rate of recovery and ID could be diminished even more. Therefore, it is not a matter of whether this conflict is most recent or not; it is a matter that in an area where operations are extremely difficult and costly, if you take away resources, you simply make it more difficult to do those operations.

As we look at how we do our resources, how we allocate our efforts in research as well as in operations on the ground, we are looking at ways we can do a better job in World War II, in Korea, without disadvantaging any other conflict, and that includes looking at the current and future conflicts and the personnel recovery activities.

Mrs. DAVIS. The last statement you made about reevaluating World War II, the current DOD posture, and this is a quote, with respect to the World War II, is the mission remains, quote, "very much a work in progress," unquote. So as you look at that work in progress, at least from my perspective, it is a little hard to tell what the plan ahead is, and I suspect that is because there isn't yet one.

Ambassador RAY. We are still working on that.

Mr. MCHUGH. And you are working on that. When might that evaluation work be done, do you think?

Ambassador RAY. I am really reluctant to make predictions on that because the group that is working on it has that and several other things, and usually, when I make these predictions, they would prove me wrong very quickly. But I would hope very soon.

We have had some progress in shaping our view of how we should be looking at conflicts across the board, and I would hope that certainly before the end of this year, we would have a more concrete idea of how we approach the resource allocation and work for all the conflicts.

Mr. MCHUGH. Thank you.

Madam Chairman, if we go to another round, I could certainly ask a few other questions, but I know that other Members want to weigh in again, so I will yield back for the moment.

Mrs. DAVIS. Yes, Ms. Shea-Porter.

Ms. SHEA-PORTER. Yes, I wanted to ask you about recent revelations that China had a body, an American soldier's body, from North Korea, and I wanted to ask you to comment further on these revelations about American POWs taken during the 1950's and 1960's.

Ambassador RAY. I believe you are referring to the Desautels case. We have in fact engaged with the Chinese on a number of occasions on trying to find out where this particular individual's body is buried, so far without success. There were others who we have information on, confirmed information, who were taken in but who were returned.

Ms. SHEA-PORTER. This is a surprise?

Ambassador RAY. Not really.

Ms. SHEA-PORTER. Not really.

Ambassador RAY. Not really. I mean, these are issues that have been a matter of our conversations with these governments for a long time. We have not had the success we would like.

My hope is, having just recently signed an archival-access arrangement with the Chinese, that we will be able to see a little more progress in getting information about a lot of these case, not just the Korean War but Vietnam War and World War II as well.

Ms. SHEA-PORTER. Well, this is something that POW/MIA groups have been talking about for a great while, as you know. So, this has a poignancy and a bitterness and a sense of tragedy to it.

Ambassador RAY. Yes.

Ms. SHEA-PORTER. I would hope that we would stay right on this issue.

Thank you.

Mrs. DAVIS. Mr. Murphy, do you have questions?

Mr. MURPHY. Yes, ma'am.

I want to thank both of you for your service to our country.

I am Patrick Murphy from Pennsylvania.

And I want to open up my comment real quick and I want to tip my hat, even though it is not in your domain, but to the CIA agencies that actually just helped free three of our hostages over in Colombia. They did an incredible job, and the 15 hostages over all. They did an incredible job with those three hostages for the past—they have been in captivity in Colombia with the Revolutionary

Armed Forces of Colombia (FARC) for over five years. So I know they don't get a thank you enough and with the public acknowledgment of their work.

I understand that the policy of the United States is to pursue the "most recent first" strategy in deciding how to allocate funding assigned to each conflict unaccounted-for servicemen.

Obviously, if there is a chance that any MIA or POW servicemen are still alive, then we should do whatever it takes to rescue them.

The "most recent first" tragedy leads to a funding breakdown where 65 percent of the funds are allocated to Vietnam, 20 percent of the funds to Korea, and 15 percent of the funds to World War II.

But when you look at the numbers, there are over 74,000 servicemen unaccounted for from World War II but only 8,000 from the Korean War and about 1,700 from Vietnam.

Again, if there is any chance that there are servicemen still alive, we need to pursue that vigorously, as I know you would already agree. However, the DPMO and JPAC estimate that the remains of 19,000 of the 74,000 unaccounted for World War II servicemen might be recoverable.

So my question is, how much of the funding allocated to Vietnam is actually dedicated to a search for those possibly still alive? Is that funding separated from the funding used to recover remains?

So what am I—I guess what I am trying to get at is, can we still continue to aggressively search for possibly living servicemen but also focusing at the same time for recovering and identifying the most remains possible, even if those remains are not from the most recent conflict?

Admiral CRISP. If I could just share, when I have the percentages, I actually don't apply them to the money, although I could do that. I don't have that right now, but I do apply them to the different functions within JPAC. So I look at recoveries and investigations. And so, if I were to just look at that over a 4-year period of time: 67 percent of recoveries and investigations are Vietnam; 14 percent are Korean War; and 19 percent are for World War II.

But when I look at the laboratory and I also look at their level of effort, identifications are 36 percent for Vietnam; 42 percent for World War II; 21 percent for Korea. And I also look at the sampling, because the scientists have to spend their time cutting samples and sending them to AFDIL for designation, so 65 percent of the samples are for the Korean War, just as an example, and 24 percent for Vietnam.

So I look at the guidance given by Office of the Secretary of Defense (OSD), of the 65, 20 and 15, and then I try to apply that to all of the areas of work that we are doing and knowing that each war is different and just trying to ensure that we comply with it to the best way possible.

Mr. MURPHY. Thank you.

Ambassador RAY. On the issue, sir, of possible living personnel and their recovery, we have not broken down what is spent on that effort, and the reason is that shapes everything we do. Every contact we have with governments on this issue, that is the number one priority.

It is also difficult for us to break down how this is funded because there are other agencies besides our two that are involved in it. The intel, intelligence agencies have standing requirements on this issue. Most embassies and areas of interest, these are pieces of information that they would be responding to for us.

So this effort, what we spend on recoveries of remains across the various conflicts has no impact on what we do to try and recover any living people, and if we should find someone alive, you can bet that everything else would stop while we took every effort to get that person back.

Mr. MURPHY. May I ask another brief question? I have a little bit of time left.

For years, the Government of China has denied that any U.S. service member was removed from North Korea into China. And the Pentagon has long held that China returned all the POWs that were inside of China. I am not sure if the panel already addressed this issue. I apologize if it did.

Obviously, last month, we all became aware of Sergeant Richard Desautels, who was buried in Chinese territory in 1953. I have a constituent, Charlotte Minnick, whose brother has been missing in action in Korea since June of 1952.

I just want to make sure that I can respond to her effectively and just say that she could believe in her government that we are all working together and that we are going to make sure that we are being straight with her and the rest of Americans, because you know, it was, obviously, we have known for five years that there was remains in China, and yet we just made the American public aware of this a month ago.

Ambassador RAY. This is true, and it is not at all unusual that we would provide information to the next of kin without providing that information publicly. There are a number of reasons why that might not be done.

In terms of prisoners taken to China, as I said earlier, the only information we have, other than Desautels, who we have been told was buried in China. We know that. We are now working with them to try and determine where, so that we can do a recovery.

The others that we have information on were prisoners who were taken into China for interrogation and returned.

Mr. MURPHY. Thank you, ma'am.

Mrs. DAVIS. Thank you, Mr. Murphy.

Ambassador, I know you mentioned earlier that the prioritizing and the apportioning issue is being looked at. I am just wondering, in the work that you all do and as you were talking about how you used the percentages or don't necessarily focus that with the budget, is that helpful, or would it be helpful to not have those kinds of apportionments?

Ambassador RAY. We are actually looking at that issue. I inherited that policy. And for the last two years, it has been under review as to whether that is the—that makes good business sense to go about it, especially given that each conflict is very different. The areas of conflict are different.

We face, for example, in Vietnam, a real serious problem with the type of soil there. Biologic remains don't last very long.

On the other hand, in parts of Eastern Europe, in Papua, New Guinea, and others areas, we are quite lucky, we usually find entirely skeletal remains that are fairly well preserved.

So one of the first questions I asked when I came in and found out that I had inherited this numerical policy is, why? And that has been under study. We have actually made minor adjustments, but the entire policy is being looked at to determine if it makes sense to do that, and, also, how will we fit that into current and future conflicts? How will the current conflict, when it ends, be fit into a numerical policy? You know, who do we take a percentage from to cover this. I, my own guess, just from my own assessment of how it would be done, is we will probably scrap the percentage policy and go to a more rational basis for resource allocation.

Mrs. DAVIS. Well, I am glad to hear that it is being reviewed; not because I know better how to do it, I just think that it is helpful to have people taking some fresh eyes on that and trying to understand it better.

If we could turn to the personnel issues for just a minute, because, Admiral Crisp, you mentioned earlier that it is not so much a matter of money in filling positions but just difficult in some cases to fill those positions. And I am wondering if you could share with us, what are some of the difficulties in doing that?

The other issue is just the consolidation of operations and whether it makes sense to have a number of different operations, or whether consolidating some of that makes any more sense, having operations near the archives in some cases?

How best to be more, not necessarily efficient with it, but also to have it work better for the people that are engaged in this operation?

Admiral CRISP. I am looking right now at our laboratory, so when you look at the laboratory, if you are just talking manning—I don't have the numbers, I did it back home—the laboratory as a whole is manned at 93 percent. That doesn't really tell you the story, so you have to dig down to, well, what are the specialties that you are having problems with?

And the scientists came to me, the anthropologists, and said, you know, we are having problems; maybe we should move somewhere else.

So, from my background, I said, what is the real issue? Is it recruiting? Is it retention? Is it an increased capacity of the identification? What are we dealing with? And so they said, well, it is really recruiting and retention.

So what I said is, okay, there is a suite of things that are available to any command in the Department of Defense to handle recruiting and retention issues. Have we done any of these? No. I said, okay.

Well, the first thing we are going to do is we are going to look at robust internship programs. We are going to look at the National Security Personnel System, pay system. Part of that allows a labor market supplement. Let's do the analysis to see if our anthropologists are paid differently than those in the rest of the United States, so you know if you are basically shooting yourself in the foot before you even start, to do all of the homework. Do you have career ladders? No. What do you expect from your people? Do

you want them to go out to the field and then have one or two managers? And I said, okay, you need to have a career ladder system for your scientists, and so those are all the things that we are looking at.

What I have asked Ambassador Ray is that, rather than to rush into a singular person's thought of, well, gosh, if I just lived in Virginia, life would be fabulous, rather than to rush into that, to do all our homework, to do a business case analysis, to do the appropriate things we need to do in recruiting and retention, and look at, do I need to change end-strength within my own command? Do I have too many linguists and not enough anthropologists? I want to look at that whole picture, fix the command to where I think it needs to be for an optimum laboratory. And then, if that doesn't work, is when I would come to my boss and to Ambassador Ray and say, okay, we need another solution.

So I know that is not as fast as some of my constituents would like me to do it, but I think that is the best thing, the best approach.

Mrs. DAVIS. Well, thank you, because I think clearly you are saying that there may be a way that you can have the kinds of qualified people that you need but to have them differently.

Admiral CRISP. Yes, ma'am.

Mrs. DAVIS. And that might bring about a much better result and a result that certainly serves our families. And that is what we are all about, is trying to find a way to do that. I appreciate that.

Mr. McHugh.

Mr. MCHUGH. I may just tie into the question, Admiral, you just responded to the Chair. I am assuming—I get in trouble when I do this—but I am assuming at the end of the hearing at some point, the Chair will move to accept into the record a number of documents that have been submitted to us.

You have not had a chance to see those, so I am not going to quiz you on it, but one of them comes from a gentleman, Ron Broward, who may be familiar to you, but he lists a lot of thoughts and a lot of suggestions. One of the observations he makes is of the number of unidentified remains that are currently in the Punchbowl from the Korean War.

Of course, as you all well know, those are, that figure is just part of the 1,200 to 1,214 number of remains that are currently at the central identification lab awaiting identifications.

I spoke earlier about the concerns I have with respect to the outyear budgets of 2009 through 2013. I am just curious, Admiral, is that process you are undergoing right now, it would seem a reduction of that number would require more anthropologists—maybe I am wrong, I don't—scientists, something, more something, or rebalancing.

So how are we going to achieve a reduction of that number, that backlog?

Admiral CRISP. The first way we are going to achieve it is by expanding the facilities, which we did temporarily. So, by October, I will be able to lay out the remains so that the anthropologists have a better chance of identifying the Koreans in the 208 that were—boxes—that were given to us.

Mr. MCHUGH. So part of that backlog is generated by the mere fact we don't have the physical space to tackle it?

Admiral CRISP. To lay it out, yes, sir.

With the identifications in Punchbowl, I know that the DNA was destroyed. All that is left, at least right now, scientifically, is if I have a skull with teeth in it, and, in fact, I just sat down with Ron, and we were going through some of his thoughts on a database. There are things that can be done, but it isn't going to be a massive fix for all of the unknowns at Punchbowl, and that will only take time. And when AFDIL and their scientists break through that barrier of figuring out how to get into the bone of whatever DNA might be left.

So just so we all know, the Army, during the Korean War—they didn't do it during World War II, they did not do it after Korean War—soaked all the bones in formaldehyde and then covered it with a formaldehyde case, and it did, indeed, keep the bones perfect but destroyed DNA. So unless we have the skull with the teeth, there is nothing we can do.

I have advised that it is not prudent to dig up all of these heroes and put them in JPAC and leave them for some future advancement at AFDIL when they are honorably buried there at Punchbowl.

So what I would prefer to do is to wait till that scientific breakthrough takes place and then take them out. Because as soon as you remove people from Punchbowl, new people come in, and then you are just left with them being at JPAC.

Mr. MCHUGH. I appreciate your laying that out. Your description raises a question in my mind. It is hard to answer—it is hard to know what you don't know. However, I am going to ask you anyway.

Of those 1,200 to 1,400, you presumably have a certain number that are non-U.S., that are Korean, or—are you sure they are all U.S.?

Admiral CRISP. I know they have reported to me that there are some non-U.S, but the information, the data I have with me today, is strictly what is believed to be U.S.

Mr. MCHUGH. Okay, of that 1,200 to 1,400, those with currently unrecoverable DNA samples is what number? Do you know?

Admiral CRISP. Oh, for that, that would be about 800. Let me look.

Mr. MCHUGH. So, basically, the Korean.

Admiral CRISP. All of the unknowns that are in Punchbowl—okay, 857, 857.

Mr. MCHUGH. And under current method, we have no way to extract the DNA, without teeth?

Admiral CRISP. The only way we can do it is if I had the teeth.

So, for that reason, that would be the last group of people I would just begin exhuming. I prefer to take the remains of the 208 that were given to me from North Korea that are actually 400 people and begin working on those as my first line for Korea.

Mr. MCHUGH. I understand. I would assume all of us, and I know you are familiar with, certainly thousands, and I don't have a number of individual family members, family groups that are concerned about the identification of a loved one that was lost, and

I have a number of them. It is source of inspiration in a very important way to see these folks, after all these years, still care so much about a family member and be so moved when closure finally comes, or at least a little piece that takes them closer to closure.

Many of those, and one lady and her family, Christine LaFrate, have been very active and have shared some questions with me, most of which I will submit for the record, Madam Chairman. But I would like to ask you one here today.

From their experience, they know that there are really multiple organizations involved in the accounting effort, two of them of which are here today. DPMO and JPAC are the largest, but they have had to deal with the service casualty offices and other agencies. They are not so much questioning that fact, but, rather, they have at times been frustrated as they cite other families have been as well, because each of the government agencies responsible for POW/MIA issues apparently continued to individually maintain their only files on each unresolved case.

And, through their experience, none of these files always contain all the information that another file does, and that is bureaucracy at its finest. They are just curious as to what extent we may be working to have a centralized file, if nothing else. We don't want to cripple that multiplicity of effort, necessarily, but one file.

Admiral CRISP. I will tell you the small part that we are doing and on that geospatial system that we are building. It is basically a middle ware that begins drilling down on any legacy data or people's individual files in order to create a holistic picture of every case.

So we are at the point where we are beta testing it in the field so that I can download it and a team can begin taking all of the data with them. And I am just beginning to share that with several people to test it at DPMO so that they can drill down with the expectation that all of our historians and all of our analysts and everyone who has files will be able to feed that into a singular system so they can all work with the same picture.

Ambassador RAY. And I might answer that we are also looking at a project now for creating a portal so that each element of the community can have visibility into the files of every other element, which would then hopefully mitigate some of this bureaucratic missing of papers.

But back to the service casualty offices, we find that while there are occasionally instances where one agency's files will maybe not have something that another has, is that having the Service Casualty Office be the principal point of contact with the family members prevents a lot of confusion and enables us to make sure that the families are getting a consistent message, that they are not getting different stories as they move around Washington.

But they also don't have to run around Washington to find someone to talk to. That Service Casualty Office is their primary point of contact. Whether it is an identification made by JPAC or whether it is a new piece of information found by one of my analysts, we seldom provide that to our families directly ourselves except at our family update meetings monthly. That is given to the Service Casualty Office to be relayed to the family who are there.

Mr. MCHUGH. Well, without question, they will be uplifted to hear that there is going to be some progress in that area.

Madam Chairman, if I may just close my portion here today, I want to thank both the ambassador and the admiral for joining us, and for everybody in the audience who didn't take that hour or so hiatus that we did in the cool Capitol for sticking it out here.

Again, I have enormous respect for the mission that you have taken up and the deepest admiration for those, particularly for those out in the field who tried to bring some closure and hold up one of this Nation's most, I think, outstanding pledges, and that is to bring everyone home and that full accounting, no matter how long it takes and no matter what the barriers are in front of us.

I just want to again underscore the great challenge that you face. Finding these remains is an incredibly difficult chore, and it is only half the chore. Then we have to match them and bring them home to those that have waited for so long, and it is a dual challenge, each of which is of great dimension. I know all of us here on this subcommittee, the full committee, indeed the entire House, want to be as supportive as we can.

With that final word of appreciation, my thanks again to you, Madam Chairman, for holding this hearing. I would yield back.

Mrs. DAVIS. Thank you very much, Mr. McHugh.

Ms. SHEA-PORTER. I, too, would like to thank you for your work. It is a grim task, and I would like to thank all those who do this every single day. It is the way that we honor our commitment to our POWs/MIAs, and they are certainly in our prayers and your workload every single day. Thank you for that.

Thank you for the hearing.

Mrs. DAVIS. I want to thank you as well. It certainly is a painstaking effort, but it is to help relieve some of the pain of those who have sacrificed so greatly. We appreciate that.

I have not had an opportunity to work with this issue before, but I feel that you come with great seriousness, and I really appreciate that.

We want to work with you to try to help, to make those steps come together as easily as possible, because it is quite difficult. And moving from one phase to another, I know, can be quite difficult, and we appreciate that.

I also wanted to acknowledge the work of—there are many, many, people that I think we have submissions from, two individuals in particular, who have gone to great lengths to work over the years with families, and I want to acknowledge them and their submissions that I would ask unanimous consent that the written submissions be included in the record: Ann Mills Griffiths, the Executive Director of the National League of POW/MIA Families; and also Mr. Ron Broward, supported by the World War II Families for the Return of the Missing, the National Alliance of Families, the Korean War Families and the Korean War Veterans Association.

And they will be submitted for the record.

[The information referred to can be found in the Appendix on page 55 and page 67.]

Mrs. DAVIS. Certainly members have up to five working days to submit any additional questions that they may have.

Thank you very much for your testimony today. Thank you to all of you in the audience for being so patient and having to sit through this warm room today. We appreciate it. Thank you very much.

[Whereupon, at 4:56 p.m., the subcommittee was adjourned.]

A P P E N D I X

JULY 10, 2008

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

JULY 10, 2008

Opening Statement of Chairwoman Susan A. Davis
Military Personnel Subcommittee
Hearing on Oversight and Status of POW-MIA Activities
July 10, 2008

The hearing will come to order.

I want to thank our witnesses for coming we appreciate you being here with us. Our hearing today focuses on the status of POW-MIA activities, which this subcommittee has been tasked with overseeing.

The last subcommittee oversight hearing on POW-MIA activities was back in October 1998, nearly ten years ago. However, while the subcommittee did not hold hearings in the intervening years, it has not forgotten its oversight responsibility, nor has it been sitting idly by on this issue.

The subcommittee put forward a number of initiatives which have become law. For example,

- It is the sense of Congress that the "United States should pursue every lead and otherwise maintain a relentless and thorough quest to completely account for the fates of those members of the Armed Forces who are missing or otherwise unaccounted for."
- The Department of Defense is required to maintain a minimum level of personnel and budget resources for POW-MIA programs.

- The Secretary of Defense to required to submit a consolidated budget justification display that includes prior year and future year funding for specified organizations supporting POW/MIA activities of the Department of Defense as part of the President's annual budget request
- The committee increased funding for the Joint POW/MIA Accounting Command by $7.5 million and the Defense Prisoner of War Missing Personnel Office by $200,000 above the President's budget request for fiscal year 2008.

Suffice to say, the subcommittee remains dedicated to the full accounting of all American POWs and those Missing in Action we owe it to their families, but most importantly, we owe it to the men and women who are currently serving in uniform. While it is our intention that this hearing will be the start of additional related hearings on this issue, our nation is at war, and the subcommittee has many competing compelling interests that it is responsible for, and must oversee. We will do our best to address all the issues that are important to the Armed Forces that we serve, but we must not forget that those who are currently serving in harms way are at the forefront of the subcommittee's attention.

Again, let me welcome,

The Honorable Charles A. Ray

Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs

Rear Admiral Donna L. Crisp
Commander, Joint POW/MIA Accounting Command

Ambassador, Admiral, welcome, I would ask that you testify in the order that I stated. Mr. McHugh, do you have any comments that you wish to make?

Opening Remarks - Ranking Member John M. McHugh
Military Personnel Subcommittee
Hearing on Oversight and Status of POW/MIA Activities
July 10, 2008

For over thirty years the United States Government has had a national priority to achieve the fullest possible accounting of Americans missing or prisoners of war as a result of the conflicts and wars of the 20th and now the 21st Centuries.

The challenges in achieving that fullest possible accounting are many. Just the numbers of those who remain unaccounted for from America's 20th Century conflicts are staggering: 74,374 from World War II, 8,055 from Korea, 127 from the Cold War, and 1,757 from the Vietnam War.

Even when our forces are operating in and searching the areas where our military and civilian personnel are missing or unaccounted for, there is no certain result. [Thus, for example, three soldiers from the 10th Mountain Division [Sgt. Alex Jiminez, PFC Byron Fouty and PFC Joseph Anzack] were captured in May 2007 in Iraq, and two [Jiminez and Fouty] remain missing.]

Still, the fact of the matter is, there will be no "fullest possible accounting" without the cooperation of governments who were, in some cases, once our enemies. Getting China, or North Korea, Vietnam, or even Russia for example, to open their archives, or lands, waters and people to research and discovery, or persuading them to make the unilateral revelations of which we believe they are capable requires more than just a DOD effort. An integrated, national

strategy involving both the executive and legislative branches of our government is absolutely essential.

My own direct experience working jointly with the U.S. Ambassador, DPMO, and JPAC in discussions with Vietnamese, for example, convinces me of the value of an integrated effort across the government.

Our witnesses today head the two largest DOD organizations involved in the accounting effort. While both organizations have come in for their fair share of criticism over the years, without DPMO and JPAC, or organizations like them, there would be no progress toward the national objective.

Over the past several years, the subcommittee has been concerned that while the accounting missions being assigned or assumed by both organizations were expanding, the resources being provided were not. In addition, it was the subcommittee's view that in the competition for resources, neither DOD nor the Pacific Command were committed to fully resourcing the accounting effort.

Today's hearing will provide an opportunity for the subcommittee to further examine the resourcing issues. In addition, I would hope the discussion today would help us get some perspectives on what adjustments to the strategy and approach both DOD and JPAC believe are needed. I also want to hear from both witnesses on what initiatives Congress might take to make the accounting effort more effective.

So, I join you, Madame Chairwoman, in welcoming our witnesses and look forward to their testimony.

Statement of

Ambassador Charles A. Ray

Deputy Assistant Secretary of Defense
for
POW/Missing Personnel Affairs

Military Personnel Subcommittee
House Committee on Armed Services
July 10, 2008
Washington, DC

Ambassador Charles A. Ray
Prepared Statement
Military Personnel Subcommittee
House Committee on Armed Services
July 10, 2008

Madam Chairwoman, Mr. McHugh, distinguished members of the Subcommittee, I want to thank you for the opportunity to appear today to update you on the current state of the mission to account for our nation's missing personnel.

As the Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs, I am responsible for policy oversight of this mission, and carrying out those policies established by the Secretary of Defense.

Our worldwide team is made up of more than 600 specialists, men and women who are recognized as top professionals in their areas of science, intelligence, historical research and analysis, public outreach, family support, and foreign area analysis.

My team in Washington drafts the policies which will lead us to the fullest possible accounting of our missing; negotiates with foreign governments; drafts and coordinates agreements and arrangements throughout the U.S. government; declassifies and releases information to MIA families, the public, and Congress; and provides support and assistance to our field operational agencies. Our 600 team members are posted in Washington, in Hawaii, in Rockville, Maryland; in Texas; in Russia; in Thailand, in Vietnam and in Laos. Their travels take them to remote and inhospitable former battlefields, where encounters with disease, snakes and unexploded ordnance confirm that our mission today is not without risk. Nine Americans have lost their lives while pursuing the effort to account for our missing from past conflicts.

Our mission of accounting for the missing is the embodiment of this nation's commitment to those it sends into harm's way. We are keeping that promise to every soldier, sailor, airman and Marine, and to their families, that should they fall in battle, this government will make every effort to return them to the loving arms of their families.

For example, of the more than 2,500 who were once missing from the Vietnam War, our team has accounted for 889, and returned them for burial with full military honors. Another 1,757 are still unaccounted-for from that conflict, of which the remains of more than 650 are no longer recoverable.

Those, plus another 127 from the Cold War; almost 8,100 from the Korean War; and more than 74,000 from World War II comprise the nearly 84,000 from these conflicts who are still missing.

And while we may be pleased with what we have been able to accomplish, all of us constantly seek ways to improve our work, to locate, identify and return these heroes

to their families as quickly as we can.. In that regard, we face the challenges of time, the environment, disappearing witnesses and the loss of possible crash or burial sites from conflicts of more than 60 years ago.

We are always exploring options, looking for ways that we can carry out this mission better and faster. We owe that to that missing servicemembers and to their families.

You have only to visit the Central Identification Laboratory out at JPAC in Hawaii to know what advances their scientists have brought to the world of forensic anthropology. As I note in all our presentations to the families of the missing and to our veterans, this is not "CSI Miami." This is the real world where JPAC scientists and team members do not have the luxury of writing a script so that the case is solved in less than one hour.

They are the ones who are forced to work with the cards they have been dealt. While I do not pretend to be an expert in the advances in science they are responsible for, I **do** know they are always leaning forward, trying to do more and more -- in the name of that missing serviceman.

You will soon hear from Rear Admiral Donna Crisp, JPAC's commander, about how her unit, through field operations, carries out the Department of Defense policies. I have never met a senior officer of the United States military who has set the bar so high for her people, and for our mission.

Admiral Crisp and I confer almost daily on one issue or another, but I believe I'm safe in saying that every conversation -- EVERY conversation -- is ultimately about the family members and how we might do our work better and faster.

Even though we all speak proudly of what we've been able to accomplish with your help, it is simply not acceptable that many family members have had to wait decades for answers. I wish it were otherwise, but realities being what they are, we're pushing the envelope every day of every year.

To take advantage of the brightest minds in our field, I have formed a Senior Study Group of senior government experts to advise me on the way ahead in accounting for missing Americans. Quite simply, I wanted to be sure that every agency which had equities in the personnel accounting mission had an opportunity to periodically review where we are going, and where we have been.

The core membership includes DPMO, JPAC, the Armed Forces DNA Identification Laboratory; the Life Sciences Equipment Laboratory; the U.S. Pacific Command; the U.S. European Command; each of the military services; and the Joint Staff.

The Senior Study Group principals -- those of flag rank -- are represented at our periodic meetings by colonels, Navy captains or senior civilians. We meet not less than twice a year and discuss issues with the goal of making recommendations to increase efficiency and effectiveness in the accounting mission.

This group gives Admiral Crisp and me the benefit of input from a wide range of experts and policymakers. More importantly, it forces all of us to look at the future and seek to make wise decisions as we move forward with this mission.

While I know the primary focus of these hearings is accounting for the missing from past conflicts, we must continue to look to the future as well to be better prepared to deal with the results of current and future conflicts.

One of DPMO's responsibilities is that of establishing and overseeing U.S. policies on personnel recovery. In the current conflicts, personnel recovery saves lives. It brings Americans home again, alive. It is far broader than just combat search and rescue, as it involves a wide range of options available to the government to bring our people out of harm's way, out of captivity, out of "isolation" behind enemy lines.

At some point in the not-too-distant future, we must make a transition from current conflict accounting -- to include personnel recovery -- to **post** conflict accounting.

If we do not make the right decisions, the right policies, now.....then I do not believe we are living up to the promises to our men and women in uniform, and to their families.

I would like to now address briefly our work across the globe. In a general sense, I believe our work in Southeast Asia goes well.

We enjoy a continued positive relationship with Cambodia, with their senior leaders and other officials cooperating in every way possible to help us accomplish our mission. We are at a point where we will gradually begin reducing operations there because we have exhausted existing leads. As always, we will continue to review individual cases to reinvestigate any where additional leads offer new information.

We would like to see a faster pace of progress in Laos, but we will not be deterred. Recent changes in some key personnel have not appeared to impact our work.

We note the 25th anniversary this year of joint U.S. - Lao cooperation. It is theoretically possible that some of our younger team members were not even born when the first U.S.-Lao team carried out its first mission. To some, that may be the embodiment of our motto, "Keeping the Promise." Both the families and the government teams are now drawing from a younger generation, but the commitment and the determination remain firm.

Both the U.S. and Laos have now agreed to exchange Defense Attaches, a step in our relationship which I believe will contribute positively toward the effective use of our resources there. Of course, there still exists a backlog of cases in Laos, but we are working to address this with the Lao on a continuing basis.

Our working relationship with Vietnam is showing steady progress. The economic relationship between the two countries continues to grow, yet, as we saw last month, the POW/MIA issue remains a key area of discussion in every meeting with Vietnamese officials. Military-to-military exchanges continue to evolve, offering yet another avenue to improve the bilateral relationship. This can only benefit our mission.

This year we will hold a 20-year assessment of U.S. and Vietnamese cooperation. We will continue to work to bring the benefits of the evolving bilateral relationship to bear on the accounting mission, to make it more effective and efficient.

So what does the future hold? To put the Vietnam War in context, it has been more than 40 years since the first U.S. losses there. By comparison, 40 years after World War II we were in the Reagan administration. The world changed dramatically in those years. Former enemies became allies. We see that same evolution in Southeast Asia and as our relations improve, it should aid our accounting efforts.

As dramatic as those changes were following World War II, since Vietnam we have seen profound movement in our issue, including the rising profile of World War II and Korean War families and -- more recently -- the direct threats to our national security from terrorism.

You are certainly aware that the competition for resources within our government is fierce and something we have to deal with on virtually a daily basis.

While I think sometimes we exceed their expectations, the founding fathers intended that there be constraints on the executive branch and that all branches function more effectively when there is coordination and cooperation among them. We do recognize and appreciate the longstanding interest and support for this mission by your subcommittee.

This coordination is especially important in activities relating to security and foreign affairs. While ours is a humanitarian mission not linked to other activities directly, we are affected by, and affect them.

Our activities, then, must be coordinated fully within the interagency community so that we proceed with full awareness of any impacts across the entire government.

So, though we ARE a humanitarian mission, we do not operate without limits. Some of those limits are legal and constitutional, and some are bureaucratic, but like budgetary constraints, they do shape our actions.

Our work continues in seeking to account for the missing from the Korean War and World War II. We negotiated an arrangement with the DPRK to begin recovery operations there in the summer of 1996. Since that time, and as a result of annual negotiations, in 33 joint field operations our teams have recovered remains believed to be those of 229 Americans. Of those, JPAC scientists have identified 61 and returned them to their families. The Department temporarily suspended remains recovery operations in North Korea in the spring of 2005 and JPAC redirected more teams to South Korea and to other parts of the world. The forensic identification work in the laboratories continues, however, with those remains already recovered.

JPAC's teams continue to locate and identify the remains of servicemen lost during World War II in the South Pacific, in central Europe, in South America, and even in North America. To the families of those missing from this war and others, we often see shock and amazement that this government has not forgotten their loved ones' sacrifices.

I will close my formal statement today by reaffirming our commitment to keeping our MIA families fully informed of the work we are doing on their behalf. All of our investigative case files are available to family members for review, in person or by mail. Where certain intelligence information may be classified, we declassify it for them. Each month, we send a team of 30-40 of our specialists into hometowns where these families live, update them on their cases, and make our scientists and analysts available to them. Additionally, we meet annually in Washington with Korean and Cold War families, and with Vietnam War families. Through both of these programs, we have met face to face with more than 14,000 family members since 1995.

We take very seriously our obligation to keep the families, the American public and the Congress fully informed about what some consider our sacred mission. I appreciate the opportunity you have given us today, and I will be pleased to respond to your questions.

Thank you.

NOT FOR PUBLICATION UNTIL
RELEASED BY THE
HOUSE ARMED SERVICES COMMITTEE

STATEMENT OF

REAR ADMIRAL DONNA L. CRISP

COMMANDER, JOINT POW/MIA ACCOUNTING COMMAND

BEFORE THE

HOUSE ARMED SERVICES COMMITTEE

SUBCOMMITTEE

ON

MILITARY PERSONNEL

JULY 10, 2008

NOT FOR PUBLICATION UNTIL
RELEASED BY THE
HOUSE ARMED SERVICES COMMITTEE

FINAL

Madam Chair and Members of the Committee:

This is my first opportunity to appear before you as the Commander of the Joint POW/MIA Accounting Command (JPAC), and on behalf of the men and women of JPAC, I want to express my sincere gratitude for your steadfast support to the personnel accounting efforts and to the men and women serving in the military at home and abroad, to our civilian workforce, and especially to the families of those who remain unaccounted for today.

MISSION

As you heard from Ambassador Ray, JPAC is an integral part of the Department of Defense team executing a unique humanitarian mission to conduct global research, investigation, recovery and identification of service members and civilians who made the supreme sacrifice. JPAC reports to the Commander of U.S. Pacific Command, as 78% of our work is in the Pacific Command's Area of Responsibility. We have three forward deployed detachments in Thailand, Laos, and Vietnam. Our detachment in Thailand facilitates operations in Cambodia and India, as well serving as the logistical hub for the other two detachments and for teams operating throughout Southeast Asia and in Papua New Guinea and other locations. We are also home to the largest skeletal forensic identification laboratory in the world, which was recently re-accredited through the American Society of Crime Laboratory Directors Laboratory Accreditation Board.

JPAC currently has 354 assigned military and civilian personnel who maintain a very high operational tempo, conducting approximately 70 research/investigation and recovery missions per year and deploying an average of 113 days per year.

This year, we are working in 15 countries to account for those missing from World War II, Korean War, and the Vietnam War. In 2008, we conducted or are planning to conduct operations in Cambodia, Vietnam, Laos, Papua New Guinea, Palau, Solomon Islands, South Korea, Japan, Pagan Island, Canada, Belgium, Poland, Hungary, Germany, and France.

As Ambassador Ray noted in his remarks, he and I discuss personnel accounting issues on a daily basis and I welcome his frank advice and guidance in accomplishing our mission. JPAC and DPMO staffs routinely cooperate with each other across the strategic-operational level and together, we successfully interact with our foreign partners and embassy country teams in achieving success in accounting for missing Americans.

PRIORITY OF EFFORT

Consistent with national-level guidance and direction, our primary efforts are focused in Southeast Asia. In Fiscal Year 2008, we planned 46 research, investigation

and excavation missions focused on accounting for those missing or dead from the Vietnam War, 16 such missions for World War II accounting and 5 missions for Korean War accounting. Our Laboratory identifies an average of 70 individuals per year. To date in 2008, we have identified 46 Americans who made the ultimate sacrifice and are being returned home to their families. We continue to seek opportunities to increase our investigations, recoveries, and identifications to ensure the fullest possible accounting for 74,374 World War II; 8,055 Korean War; 127 Cold War; and 1,757 Vietnam War unaccounted for Americans.

HOST NATION INTERACTION

Our annual Operational Plan details our research, investigation, and recovery efforts to account for those still missing from our nation's conflicts. JPAC coordinates with host nation counterparts and with the primary U.S. agencies in the country of interest to ensure mission success.

Over the past 6 months, JPAC has conducted extensive bilateral discussions to further our progress in the accounting mission, not only with our traditional counterparts in the Kingdom of Cambodia, the Socialist Republic of Vietnam, and the Lao Peoples' Democratic Republic, but also with our constant supporters in the Republic of Korea and Papua New Guinea. We are also focused on resuming operations in the People's Republic of China and commencing our first missions in the Republic of India. We are joint partners in a humanitarian mission. With the overwhelming support of the host nations, our field investigation and recovery operations are successful.

I have had the opportunity to visit seven nations in the Asia Pacific region, and from these first-hand experiences with our foreign counterparts gained insights into the depth of support and commitment to the personnel accounting mission.

Kingdom of Cambodia. Cambodia is the model for cooperation on the POW/MIA accounting mission. At every turn, the Cambodians have committed themselves and resources to ensuring the greatest level of cooperation in order to achieve the fullest possible accounting of missing Americans. It is a blueprint by which other nations in the region can implement similar efforts.

Lao Peoples' Democratic Republic. The Lao have exhibited sustained cooperation in the accounting mission in the 25 years of continued dialogue and operations. During my visit to Laos in April 2008, the Lao reaffirmed their continued support for our joint investigation and recovery operations and have been extremely flexible in working with us on methods to achieve better efficiency and effectiveness in field operations. We continue to discuss raising the number of team members and conducting longer field activities.

Socialist Republic of Vietnam. Our efforts with Vietnam in the accounting mission improve at a measured pace. As Ambassador Ray noted, we are marking 20

years of regularly scheduled operations in September 2008. It is an opportunity for both sides to reflect upon past successes and discuss and implement concrete ideas to advance our cooperative actions. In late 2006, the Vietnamese agreed "in principle" to allow JPAC to use a U.S. Navy vessel for our underwater operations. Of particular note, we are planning to utilize a U.S. Navy hydrographic vessel for underwater investigations in 2009. We believe this vessel will enhance our capability for off-shore investigations and potentially provide critical information leading to future underwater excavation activities.

Republic of Korea. JPAC was at the forefront of the creation of the Korean counterpart organization known as the Ministry of Defense Agency for Killed in Action Recovery and Identification or MAKRI. During my visit with them in January 2008, I was impressed by their efforts to account for their own missing from the Korean War, which number 130,000, and their assistance to JPAC teams. We implemented the first Joint Forensic Review in November 2007, and earlier this year, we continued our commitment to support the on-going development of their scientific excellence by training two MAKRI forensic personnel in laboratory procedures. In my discussions with visiting ROK officials, to include their Vice Minister of National Defense last month, I have noted to them our goal to sign a Memorandum of Understanding with the Ministry of Defense Agency for Killed in Action Recovery and Identification detailing our working relationship.

Papua New Guinea. The Papuans are enthusiastic partners and without hesitation, are supportive of JPAC activities in their country. They have been continuous partners since 1978 as we continue to prosecute cases from World War II operations consistent with the 2000 Congressional direction that the Department make reasonable efforts to recover the remains of U.S. servicemen lost in the Pacific theater while engaged in air operations, and specifically in Papua New Guinea.

People's Republic of China. We achieved some progress in our interaction with China this year with the successful agreement on archival research. We are continuing to negotiate with China on a recovery mission in Dandong, China. We remain hopeful we can conduct this mission along with several investigations in 2009.

Republic of India. In January 2008, Ambassador Ray and I engaged with Indian Government officials to conduct investigation and recovery operations to account for missing Servicemen from World War II. During my visit to India in March 2008, the Indians showed increased willingness to cooperate closely on our personnel accounting efforts and we are continuing to dialog with them on our plan to commence recovery operations in 2009.

Europe. While approximately 80 percent of our operations are in the Asia-Pacific region to account for missing from World War II, Korean War, Cold War, and Vietnam War, we have a world-wide mission. To accomplish our mission, we interact with countries in Europe on a regular basis to conduct research, investigations, and

excavations for World War II cases. This year, we will excavate loss sites in Germany and France – and exhume remains in Belgium and Hungary – to account for missing Servicemen from World War II. We are also conducting research in Germany and leveraging DPMO's Joint Commission Support Directorate's efforts in Eastern Europe to indentify additional loss sites for investigation and recovery.

COMMANDER'S PRIORITIES

As the Commander, my number one priority is the safety of our people. My second priority is quality of life of our military and civilian staff and finally continuous improvement to increase the effectiveness of every function in personnel accounting.

Safety. While executing the mission is very high in my priorities, the most important priority is the safety of our personnel, whether in the field or in an office environment. Safety takes precedence over excavating sites when risks cannot be mitigated sufficiently to reduce chances of serious or life-threatening injuries.

Quality of Life / Quality of Service. Quality of life and quality of the work environment is essential to retaining a professional staff. Over the past 6 months, we have added new temporary "modular buildings" at the headquarters and secured additional laboratory space on Pearl Harbor which will house our life support analysts, archeologists and material evidence. We have begun analyzing our recovery efforts, accessing past practices with an eye toward mitigating our high operational tempo.

Additionally, we are undertaking several initiatives to better posture the command's ability to meet the mission. These initiatives include the following measures:

Military to Civilian Conversion. We are converting 74 of our military billets to civilian positions. Most of our military linguist billets and some of the life support analyst positions are converting to civilian. This will result in transitioning from a traditional all-military field operations team, with the exception of the anthropologist, to a team with as many as three to four civilian members, thereby ensuring stability in our operations.

Pay Structure. I have also initiated a serious review of pay structures available within the National Security Personnel System to ensure our pay is commensurate with a world class organization and laboratory.

Recruitment and retention of our scientific staff is also a high priority of mine. We are conducting a labor market analysis, special skill set analysis, and potential options to ensure we retain our outstanding staff. Additionally, we must have a robust program to recruit new and talented scientists who will assist in maintaining the high quality of scientific excellence you are familiar with.

New Headquarters Building. Funding has been approved for the design phase of the MILCON project, which begins in Fiscal Year 2009. We have programmed for a 140,717 square foot facility, currently scheduled for construction over Fiscal Years 2010 – 2011. This new building will, for the first time, bring together all of the staff into a single headquarters and would house state-of-the-art laboratories to speed up our identification efforts.

CONTINUOUS IMPROVEMENT

The fullest possible accounting requires teamwork and unity of effort from several inter-linking commands and nations. It is a continuous process requiring constant analysis, adjustment, and improvement. We work closely with our foreign counterparts to ensure more effective procedures are put in place to enhance our field operations. We also have undertaken the following steps to set conditions for greater success in our recovery missions.

Technology Application. A new technology we're implementing at JPAC is Geographic Information System or "GIS" tools. It is a system of computer software, hardware, data, and maps which together provide a world-class tool to manipulate, analyze, and present information that is tied to a spatial or geographic location. Essentially, with the click of a mouse on the computer, GIS turns multiple pieces of data into information to improve our investigative and excavation efforts. GIS also overlays hospital and airport locations and medical information such as Avian Flu outbreaks so that our field teams have the necessary information to ensure the safety of our teams. With GIS, we can view and interact with data from multiple sources simultaneously on a map, saving hours of manual labor and enhancing efforts in the field.

Phase Two Testing. We are also continuing to apply Phase Two Testing – a standard archeological procedure used successfully throughout the world for years – which allows JPAC archeologists or anthropologists to gather additional data on large sites to better prioritize, plan and resource our excavation operations. We have successfully used this process in Cambodia, Laos and Vietnam in 2008 as a means to address more cases per year and potentially reduce the number of excavation days and number of times we return to an excavation site by having more precise information as a result of our investigations. Our 2009 operations plan will further utilize the Phase Two Testing process throughout Southeast Asia and we are also incorporating this process into our World War II, Cold War and Korean War operations.

CLOSING

This gives you a quick glance into my philosophy and the direction we are moving within JPAC to bring home the brave Soldiers, Sailors, Marines, and Airmen as well as many dedicated civilians, all who made the ultimate sacrifice for our freedom and who remain missing from past conflicts.

FINAL

Madam Chairwoman and members of the Committee, thank you for this opportunity to address you. I am prepared to respond to any questions you may have.

DOCUMENTS SUBMITTED FOR THE RECORD

JULY 10, 2008

Statement for the Record by
Ann Mills Griffiths, Executive Director
National League of POW/MIA Families

House Armed Services Subcommittee on Military Personnel

Oversight and Status of POW-MIA Activities
July 10, 2008

Thank you for allowing the League to submit a statement for the Record.

I'm pleased to be able to give the views of the Vietnam War POW/MIA families whom I have represented for three decades, though my personal involvement began much earlier. On September 21, 1966, my brother, LCDR James B. Mills, USNR disappeared in an F4B flying off the USS Coral Sea over northern Vietnam, his second such tour of duty, the first being on the USS Midway. He deployed from Alameda Naval Air Station, listing Bakersfield, California, as his home of record, the state where the vast majority of the extended Mills family still resides.

The last three decades encompass the entire spectrum of the postwar bilateral relationship between Vietnam and the United States. The issue I represent played a central role in the normalization process and its evolution. Vietnam agrees, citing the POW/MIA issue as their bridge to normalization of relations.

The League did not support immediate post-war normalization of relations, due to Vietnam's failure to implement provisions in the 1973 Paris Peace Accords calling for a full accounting for unreturned American POW/MIAs. The process became one of fits and starts, dialogue and movement, stalling, backtracking and resumption, but not with focused priority on obtaining answers until 1981. President Reagan came into office with a commitment to this issue that was well known to the returned POWs, as it was to the MIA families, especially those of us in California.

The policies developed, approved and implemented from 1981-1989 formed a solid basis on which to build a mutually beneficial bilateral relationship. In the lead throughout that time was the POW/MIA Interagency Group, on which I served as the only non-government member. Without diplomatic relations, I frequently served as a direct communication link between Washington and Hanoi, most often in New York City. Such a meeting with the late Vietnamese Deputy Prime Minister and Foreign Minister Nguyen Co Thach brought subsequent bilateral discussions with senior US officials, a sensitive prospect at the time due to Vietnam's military occupation of neighboring Cambodia. All members of the Association of Southeast Asian Nations (ASEAN) strongly objected to Vietnam's presence. My participation in such high level discussions offered assurance that the primary purpose was humanitarian, not, as ASEAN could have thought, a back-door, premature effort by the US to normalize bilateral US-SRV relations. Yes, those were unique times.....not yet adequately chronicled.

A September 1982 League delegation to Vietnam and Laos was credited with jump-starting cooperation between these two governments and the US. Progress during those early years was hard-earned and sporadic, but the families' expectations, with very few exceptions, were realistic and based squarely on US Government evidence and analysis. We have always recognized that this issue could be solved only through government-to-government efforts; yet I've often said I could paper my walls with agreements reached with and broken by Vietnam. There were frequent disappointments, none more damaging to the issue than US and Vietnamese violations of the 1991 "roadmap" to normalization of relations developed by the POW/MIA Interagency Group.

The three-phase "roadmap" specified actions by Vietnam to address accounting issues and reciprocal steps by the US, leading to withdrawal of Vietnamese forces from Cambodia and normalization of bilateral US-SRV relations. With agreement to proceed along the "roadmap" course of action, Vietnam began withdrawing troops from Cambodia, and pressure rose within the US bureaucracy on the need to respond positively, despite Vietnam's stalling on specified POW/MIA accounting steps. The process continued to erode with the altered priorities that came in 1993, leading fairly quickly to normalization of political relations in 1995, a bilateral trade agreement in 2001, and permanent normal trade relations (PNTR) in 2006.

Throughout these years, the League has relied on sustainable information provided by the US Government. Since 1982, I have conveyed these facts and our well-founded expectations to officials in Hanoi, Vientiane and Phnom Penh, most recently in October 2006. I believe that was my 29th visit to Hanoi, a beautiful, historic city. I've also visited Bangkok, Moscow and elsewhere to appeal for help from those willing and able. Each time, the League commended Vietnam for support provided to joint field operations, past and present.

The joint field operations aspect of the accounting process has improved dramatically in quality and scope. Our highly skilled and motivated personnel in Hanoi, Vientiane, Bangkok and Phnom Penh continue to find ways to make improvements. This is especially true when compared with efforts in the early 1990s that focused more on form than substance in an effort to visibly demonstrate cooperation and openness, whether or not real. At the time, the higher priority was generating support for political and economic objectives, never fully grasping that pursuing POW/MIA accounting and those priorities was, in reality, quite doable and complimentary.

But that is past, and today we have 826 US personnel returned and accounted for since the actual end of the war in 1975, with the assistance of the Vietnamese, Lao and Cambodia Governments, 572 of them from Vietnam. Remains of another 63 US personnel were recovered and identified before the end of the war, but without the bilateral cooperation now required.

In that regard, I must commend Laos for the extraordinary effort they have made over the years, always working to improve the process and be responsive to the families, and Cambodia for its unfettered cooperation. Considering the fact that approximately 90% of all the 1,757 still listed as unaccounted for from the Vietnam War were lost in Vietnam or in areas of Cambodia and Laos under Vietnam's wartime control, such cooperation from Laos and Cambodia is especially meaningful.

Over the years, we have overcome countless obstacles that were raised, either in this country or overseas. These ranged from speculation in 1978 that bugs had probably eaten the archival records and the elements had ravaged most of the remains, to disbelief that Vietnam was storing large quantities of remains. These excuses have been proven false. Sufficient archival material has been provided to reinforce long-held analysis on Vietnam's ability to provide relevant archival documents, and Vietnam's postwar repatriation of stored remains began in earnest in the mid-1980s. It is now widely accepted: much can yet be achieved jointly and unilaterally by the Government of Vietnam.

Today's challenges are most succinctly outlined in the State Department's determination to Congress assessing the level of Vietnam's cooperation, as required by Section 109 of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (P.L 110-161) The standard determination language citing Vietnam as "fully cooperating in good faith" on the accounting effort lists some specific criteria that have not been met, but the precise language is required or the bilateral relationship would revert to pre-normalization levels. That would be absurd, and no objective observer or participant would support such a drastic course. The most helpful aspect of this required determination was added by President Bush in 2002, outlining how cooperation can be improved.

Originally signed by the President in his certification in 2002, since signed by the Secretary of State, this year the determination explains: *"To further strengthen that cooperation, however, I urge Vietnam to work aggressively to improve tangibly its unilateral provision of POW/MIA-related documents and records, focused initially on archival data pertaining to Americans captured, missing, or killed in areas of Laos and Cambodia under wartime Vietnamese control. Vietnam should also focus greater attention on locating and providing information on discrepancy cases, with priority on those last known alive in captivity or in immediate proximity to capture, and to locating and repatriating the remains of those who died while in Vietnamese control that have not yet been returned. I also call upon Vietnam to continue permitting our recovery teams to have access to restricted areas for the sole purpose of conducting our humanitarian accounting operations."*

The determination concludes with commitment and a pledge of continued priority: *"Finally, in making this determination, I wish to reaffirm my continuing personal commitment to the entire POW/MIA community, especially to the immediate families, relatives, friends, and supporters of these brave individuals, and to reconfirm that achieving the fullest possible accounting for our prisoners of war and missing in action remains one of the most important priorities in our relations with Vietnam."*

We welcome this determination. It defines four specific steps that Vietnam should take, again reinforcing the need for unilateral actions. Despite the praiseworthy field operations of the Joint POW/MIA Accounting Command, augmented by the Defense Intelligence Agency's special POW/MIA investigation team, the fullest possible accounting can not be achieved without authorization by Vietnam's leadership to take the unilateral actions outlined in the determination to Congress.

Knowing the importance of the POW/MIA Issue to America – both government and people – major decisions during and after the war were historically made by Politburo consensus. Relations with the United States, a long-desired Vietnamese objective, was mismanaged and flubbed more than once, but it remains a matter of high national security interest to Vietnam, and understandably so, to retain a balance of powers, as well as regional economic health and political equilibrium.

We continue to hope that Vietnam's leaders will authorize the unilateral cooperation long sought. We urge all US officials, including Members of Congress, to press for the specific actions needed. To start, they can provide the documents on the list that follows this statement, a list compiled by the Defense POW/MIA Office and JPAC and presented many times in Hanoi, including my most recent trip, a family member delegation just over a year ago, last fall by Ambassador Charles Ray, the Deputy Assistant Secretary of Defense for POW/MIA Affairs.

Historically, Vietnam has responded best when there was high level executive and legislative branch interest. Information from the current POW/MIA bureaucracy is pro-forma on the need for unilateral action; therefore, we are concerned that the Vietnamese leadership may believe joint field operations are sufficient to meet requirements. They are not! Congress can help by passing a bipartisan resolution urging Vietnam to respond to the provisions in the administration's recent determination. We respectfully request this action be taken quickly and transmitted to the Vietnamese leadership.

We deeply appreciate the commitments made by Vietnamese Prime Minister Nguyen Tan Dung during his visit to Washington late last month. His commitment to renew efforts to locate and provide archival records, especially pertaining to losses in Laos and Cambodia, and affirmation to permit participation by US Navy ships in underwater recovery efforts signal improved willingness to work seriously to achieve answers. As always, implementation is the key and time will tell. In the interim, we are indebted to many US Ambassadors who served in these countries, to senior officials in the NSC, State and Defense who demonstrated by their actions the leadership that was needed. All Americans have a useful role in fulfilling our nation's commitment to those who serve – past, present and future – and to signal those serving today, especially in Iraq and Afghanistan, that should they be captured or become missing, they won't be forgotten and, if possible, they will be brought home.

VIETNAM: ARCHIVAL DOCUMENTS FOR UNILATERAL SRV ACTION
July 2008

OFFICE OF THE PRIME MINISTER

Directive 286

On October 21, 1972, the Prime Minister issued Directive 286 (Message Number 286/ TT-TW 21 October 1972), which tasked provincial military headquarters, district and city security police, and

concerned local authorities to inspect and reconfirm American pilots' graves. This directive applied to Vietnamese organizations throughout Indochina.

According to persons assigned to carry out these tasks, this directive was necessary to authorize the involvement of civil elements in activities assigned to Group 875, a purely military organization. In response, each province appears to have formed teams by military and public security service personnel. In most, if not all, provinces these tasks were delegated to similarly staffed district-level teams. In turn, these teams notified village authorities and military units to collect information on U.S. casualties and graves and forward the results up the chain of command. A copy of Directive 286 has not been provided, and the USG and the families believe a copy would assist in understanding Vietnam's recovery procedures.

Directive coordinating the simultaneous release of American POWs in the south and the north on 12 February 1973 to implement the Paris Peace Agreement, signed on 27 January 1973

The Paris Peace Agreement called for the release of all POWs by both sides and the Office of the Prime Minister issued a directive to release prisoners simultaneously in accordance with the agreement. This document relates to accounting for missing Americans because it details how, when and where American POWs were to be released. This document would logically have been retained in the files of the Office of the Prime Minister.

MINISTRY OF NATIONAL DEFENSE

Shoot-down Records for the capital region

Although your government has shared with US officials the shoot-down records of a number of provinces in the north, we have several losses in the capital region for which a similar record would be helpful. The USG and the League are interested in obtaining such a record for the capital region and believe it would provide critical leads to Americans still missing and unaccounted for in that region.

Archives on Phou Pha Thi/Lima Site 85, priority DRV attack with Pathet Laos, March, 1968

The US knows of the existence of at least one document related to this historic battle: "REPORT BY THE NORTHWEST MILITARY REGION GENERAL STAFF DEPARTMENT, PRELIMINARY SUMMARY OF THE SAPPER ATTACK ON THE AMERICAN TACAN SITE ON PHA-THI MOUNTAIN, dated 11 June 1968. This classified document held at PAVN Military Region 2 Headquarters, served as the basis for the Phou Pha Thi chapter of the Vietnamese-language military history book Together in One Foxhole. The author of the chapter, retired PAVN Major Do Chi Ben, admitted the existence of the document in an interview with US investigators in Hanoi on 31 October 2003.

Order of battle records for PAVN units operating in Vietnamese-controlled areas of Laos and Cambodia during the war

These records would provide the names of potential sources for the large number of cases along the border of both countries. In the absence of relevant archives, thus far not provided, but requested below, reaching sources while they are still alive and coherent becomes critical, and time is running out.

Situation reports from individual units stationed in Laos and Cambodia

We appreciate your government providing the comprehensive Group 559 shoot-down record. This summary document has been invaluable in identifying units associated with losses in Laos and along the

Vietnam-Laos border. The USG and the League are also very interested in obtaining reports originating directly with the individual units involved. Such documents would logically help to further identify the units and personnel involved in incidents involving missing and unaccounted for Americans.

MINISTRY OF NATIONAL DEFENSE/GENERAL POLITICAL DIRECTORATE

Companion Document to Department of Military Justice's summary list of American remains that Vietnamese authorities had been unable to recover

The Department of Military Justice was responsible for remains recovery and storage until it was disbanded in late 1978 or 1979. Near the end of its existence, that Department compiled a summary list, dated November 2, 1978, of American remains that Vietnamese authorities had been unable to recover. A companion document, namely a summary list of remains successfully recovered should be invaluable in helping your government to take the unilateral actions needed to account for those Americans listed.

Photographs of remains and identifying data disinterred from burial sites throughout northern Vietnam by the Department of Military Justice

The USG knows that remains disinterred and taken to Hanoi were prepared for storage and photographed with their identifying data by the Department of Military Justice. Some of these photos have come to US attention, but a unilateral search the National Defense Ministry archives for files containing these photographs should prove fruitful. As in the case of Major Joseph C. Morrison, USAF, these photographs would provide valuable leads to accounting for the Americans portrayed.

MINISTRY OF PUBLIC SECURITY

Records, contemporaneous during wartime, used to construct the "prison document" provided to the US

The document turned over to the US at the end of the war was written in one person's hand, obviously constructed from a document compiled on an ongoing basis during wartime.

Records from the Security office of the Central Office for South Vietnam concerning American POWs in the south

The USG has few documents associated with Americans imprisoned in the south. Though record-keeping in the south was likely not up to the standards adhered to in the north, US analysts believe that a multi-layered organization such as the COSVN, particularly its security office, maintained records on prisons they controlled, such as their detention facilities in Tay Ninh Province and the C312-C24 detention facilities in War Zone D (also known as T1 and MR7).

They also likely maintained records on individual imprisoned Americans. In fact records on the latter prison facilities could shed light on the priority discrepancy case involving civilian Daniel Niehouse. Those records are likely to now be in Hanoi and would be of great assistance in accounting for missing Americans.

Records detailing American POW handling protocols in Ministry of Public Security facilities that held U.S. POWs, such as Hoa Lo, Bang Liet, Thanh Liet, Son Tay, Bat Bat, and in facilities associated with the Central Office for South Vietnam

Because many American POWs were held in facilities controlled by the Ministry of Public Security, written protocols concerning how these facilities were to be administered must have been produced and would have been retained by the ministry. These documents could be extremely useful in facilitating realism and US understanding of prisoner handling procedures.

MINISTRY OF FOREIGN AFFAIRS

Documents associated with the preparation of the Democratic Republic of Vietnam's and the Provisional Revolutionary Government's Died-In-Captivity Lists

Both Died-In-Captivity Lists passed to the US in 1973, though ostensibly produced by different governments, were prepared in Hanoi using the same typewriter. US analysts believe this likely was done at the Ministry of Foreign Affairs and MFA would have retained the documentation used to compile these two critically important lists. The source documents used could shed light on many of the unaccounted for personnel on the lists.

Documents associated with foreigners imprisoned for violating Vietnam's territorial waters during the period extending from the end of the war through the late 1980s

From the end of the war through the late 1980s, the USG received many reports of American POWs held in Vietnamese prisons. Many relate to foreigners incarcerated in Vietnam for violating Vietnam's laws. Documentation identifying foreigners who were imprisoned during this period and relating the circumstances of their imprisonment would help clarify who many of these reports are referring to. The Ministry of Foreign Affairs is the probable repository for these documents.

ON REORGANIZING THE POW/MIA ACCOUNTING EFFORT
July 8, 2008

Summary: The League strongly opposes consolidation of assets and resources and placing total control of the issue into the hands of any one organization, even with strong and consistent oversight by Congress. In the decades since the League was formed on May 28, 1970, we have learned many valuable lessons. The first is to avoid 360 degree control by any one department, agency or organization. The second is to fight against pulling assets away from the area of operations, instead placing them inside the target countries where answers are being withheld or, for various reasons, have not yet been uncovered, or as close to those countries as possible. Doing so retains the focus on the mission and reduces costs in terms of travel and personnel time away from headquarters responsibilities, including forensic identification of remains recovered primarily in PACOM's AOR.

MAINLAND LOCATION FOR THE JOINT POW/MIA ACCOUNTING COMMAND

This proposal seems to be at the core of all others, namely to refocus JPAC's mission from POW/MIA accounting and remains recovery/identification to serving as a first responder in national and international disasters. The objective seems focused on ensuring continuation and expansion of the forensic laboratory, including full funding and retention of key personnel, without consideration of the impact on the reason JPAC and predecessor organizations were formed.

No viable reasons are given to support the assertion that archival research on the accounting mission would be "more productive" in close proximity to the National Archives. Those who support and promote theories

of conspiracy and cover-up in the US Government focus on DC-based archives. We believe the primary focus of archival research should be on gaining information from records held by the foreign countries where US personnel are missing, except to further define the scope of remains recovery potential on WWII losses.

Most such proposals fail to recognize the difference in the missions of DPMO and JPAC, the former being policy control and oversight, the latter being implementation and operations. As examples, operational components utilized for war-fighting are not co-located with those establishing policy and exercising oversight, nor are those who analyze and task intelligence requirements housed with collectors. Also absent is any recognition of today's worldwide electronic communication capabilities, apparently deemed adequate for national and homeland security matters, but insufficient for cooperation on "archival research for ancient wars."

Recruitment of entry-level forensic anthropologists and professional historians has not been a serious problem, though retention has more recently become problematical, due primarily to lack of upward mobility opportunities for senior anthropologists and the demand on the market for such experienced personnel at much higher salaries than is possible within the government service structure.

CIL is well known throughout the forensic science community as one of the few, as well as best and largest, training grounds in which to gain experience, while receiving a decent salary and the security of knowing the work is steady, dependable and worthwhile. However, the Scientific Director's "management style" is often cited as a fundamental reason for resignation due to the "old boys club" atmosphere that excludes educational and promotional opportunities or other benefits attendant to working in the advanced scientific environment that JPAC's CIL affords.

Staff time lost to travel and travel-related expenses would not be reduced by moving JPAC to the mainland, rather the opposite on the vast majority of requirements. Except for the minimal number of JPAC personnel actually necessary to support DPMO-hosted Family Updates on the mainland, moving away from the AOR increases, rather than decreases, the travel and related costs involved.

There is no justification for individual family members to have greater access to JPAC personnel than now exists, so long as the Service Casualty Offices continue to fulfill their designated role as primary point of contact for family members. While the primary next-of-kin of an identified serviceman <u>may</u> elect to fly to JPAC to escort identified remains from Hawaii to the mainland, that privilege is not necessarily accepted when offered, though when it does occur, the related costs are borne by the parent Military Service, not JPAC or DPMO, just as are interment costs.

Despite the pain endured when CIL and JTF-FA merged on October 1, 2003, and not yet fully healed, there should be no consideration of splitting JPAC and CIL, nor should JPAC headquarters and CIL be split from JPAC operational elements. It would signal retreat, not advancement, a move that would severely undermine unit morale and the cohesion required for effective command functionality.

Under no foreseeable circumstances would the League favor merging JPAC and DPMO, or any other now separated POW/MIA accounting-related functions, into one umbrella organization. DPMO was not given the mission to provide centralized "management" of the POW/MIA accounting mission, but to provide policy control and oversight of the comprehensive DoD accounting effort. DPMO has never functioned <u>effectively</u> in its policy and oversight role, nor adequately provided policy guidance to field agencies, organizations or operations. Too often, DPMO has sought to encroach into operational areas, rather than create opportunities and promote initiatives to be implemented by the operators, such as JPAC and DIA's special POW/MIA collection team, known as Stony Beach. Intelligence collection, investigations, archival research, field surveys and excavations are and should remain outside DPMO's charter, but guided and overseen by DPMO to ensure the most effective approaches are pursued and processes are followed for obtaining desired goals and objectives.

To ensure confidence in the overall effort, there must be a process of checks and balances. There should never be a restructuring of the POW/MIA accounting mission to allow any single office or individual the authority to exert total control over policy and operations that involve protecting the scientific integrity of the identification process.

RE-ALLOCATE JPAC TEAM ASSIGNMENTS

There must be no diversion by JPAC to an agenda of remains recovery and identification only, with no investigations into discrepancies or other case-investigations, the primary reason this organization was formed in 1992, as JTF-FA. The League would oppose any reduction in Vietnam War-related accounting effort and fully supports working from the most recent war back to earlier wars and conflicts. It is of primary importance to end the uncertainty of still-living immediate family members through the processes of intelligence collection, archival research, investigations and preliminary surveys on cases of missing US personnel not as yet confirmed to be deceased, but all now listed as KIA/BNR through the still-controversial, though legal, administrative process of presumptive findings of death, per the relevant sections in Title 37, US Code.

DPMO's initial policy guidance was to focus greatest effort on accounting for US personnel still missing from the most recent war and work backward to obtain answers on those unaccounted for from wars and conflicts further removed in time. This is logical; close relatives of those missing from more recent wars are still living. The reality is that veterans from WWII who survived the war are dying at the rate of approximately 1,200+ each day, per the Department of Veterans Affairs; any possibility of WWII personnel surviving in captivity is remote to non-existent.

Immediate family members (siblings and spouses) of WWII losses are just as quickly disappearing, and many extended family members of unaccounted for WWII personnel never knew the long-lost relative in question. Likewise, parents of Vietnam War losses are increasingly deceased, spouses and siblings are now senior citizens. Some children of Vietnam War POW/MIAs were old enough at the time of loss to remember their fathers, including two elected as members of the Board of Directors; their experience serves as a compelling example we see constantly.

An increasing percentage of identifications relates to WWII; if counting identifications is the primary criteria for assigning assets and resources, then a case could be made to focus solely on remains recoveries for WWII personnel. Larger crews, slower aircraft and documented site locations involved in PNG and other Pacific sites, China-Burma and Europe offer potential for significant numbers of relatively simple identifications.

The League fully supports additional personnel and funding to increase the level of remains recovery and identification for Korean War, Cold War and WWII losses. It is incumbent upon DPMO to place requisite priority on such increases within the DoD leadership and PACOM/JPAC to define its specific requirements in terms of operations. The League also supports the concept of satellite forensic laboratories to expedite identification of the remains awaiting processing, so long as such labs are under JPAC command and control.

OUTREACH FOR FAMILY REFERENCE SAMPLES (FRS)

Centralized control of an effective effort to more assertively pursue FRS is desirable. The League supports this outreach proposal, including a contract arrangement, so long there are stated strategic goals, with supervision and authority residing outside JPAC's lab, preferably in DPMO. In either instance, JPAC scientific staff requirements should be the determining factor for setting priorities.

This could be undertaken by existing DPMO staff – archive specialists and historians – or contracted to professionals with a sole focus of locating potential donors through genealogical research. The

implementation priority would be established by DPMO in consultation with JPAC, but should allow for priority interruption based on identification requirements of JPAC forensic anthropologists.

Service Casualty Offices are currently tasked with this responsibility as an addendum to established casualty requirements that include handling current-day war considerations and communication with affected family members. These officials are not staffed or funded for the added task of genealogical research; therefore, implementation is sporadic and uneven. In the case of wars further removed, however, genealogical research to locate suitable FRS may be the only option for identification, including on those currently interred as unknowns in the "Punchbowl."

Application varies by Service. As of July 2008, the USN FRS rate on SEA cases was lowest at 26.6%, followed by USMC at 50%, USAF at 77.05%, civilians at 78.13% and USA at 83.3%, for an average for SEA of 65%. There are some SEA cases pending receipt of FRS to complete the identification process. The figures for success in collecting FRS related to the Korean War continue to rise, though USN is again lowest at 36%, USAF at 48.4%, USMC at 58.1%, Army at 63.7%, civilians at 42.8% and Coast Guard at 100% success.

DPMO-hosted Family Updates are the primary source of acquiring additional Korean War FRS, and the logical focus for applicable FRS collection since approximately 80% of all who attend the DPMO Updates are Korean War family members. (Vietnam War families have long had access to League membership, greater communication, access to information, and been eligible for DoD-provided transportation to attend the League's annual meetings, at which US Government briefings are given, except for a hiatus from 1976 – 82, during which time no transportation was provided.)

ARCHIVAL RESEARCH FOR ANCIENT WARS

The League has serious differences with those who assert that archival research is the most important function to support teams in the field and in the identification of "unknowns" interred in our National Cemeteries, though such a sweeping statement might apply to Korean War remains interred at the Punchbowl and unidentified WWII remains interred in US cemeteries.

In addition to DPMO and JPAC, DIA's Stony Beach team focuses significant time and attention on archival research within requirements tasked by DPMO and JPAC, plus general requirements. In today's era of instant worldwide communication capability, distance in miles is scarcely relevant. Electronic means are often the primary communication link between offices housed in the same building, much less the same metropolitan area. Proximity to the National Archives or to sister organizations does not assure communication or coordination; however, a thoughtful, well-developed plan does require coordination and input from those most directly affected.

The focus appears to be on establishing a methodical process for exploiting US archives, thus the reliance on professional historians, rather than trained analysts as are required for analysis on intelligence collected now, as well as over the years and at the time of incidents as related to specific cases. Those focused on the Korean War, WWII, identification of "unknowns" interred in the Punchbowl and US cemeteries overseas, as well as those who subscribe to theories of conspiracy and cover-up by the US Government, tend to focus on domestic archives. The League does not accept nor support such theories, nor do our noted advisors who share our belief that there have been and still are instances of laziness and incompetence, but not deliberate conspiracy or cover-up on the live prisoner question, etc.

Analytic directorates in DPMO and JPAC should pursue different, but complimentary approaches unique to each past war. DPMO's focus should be on the larger questions, such as the degree to which a foreign government should be able to provide relevant data, record-repository locations and access issues. DPMO and JPAC should identify potential sources through order of battle and write requirements for follow-up in-country by DIA's Stony Beach personnel or during field operations by joint

teams. JPAC's focus should primarily be on case-specific analysis and requirements that could lead to accountability. Both should have separate, but coordinated and specific, strategic archival research plans and objectives for each war that enhance the accounting process to facilitate results.

ADDITIONAL DETACHMENTS IN FOREIGN COUNTRIES

The League does not support additional forward operating detachments or offices in countries where the US has embassies and troops already attached or in positions to augment when needed. There are three JPAC Detachments (Thailand/Cambodia, Vietnam and Laos) and one DPMO forward operating office, the Joint Commission Support Directorate (JCSD) in Moscow, Russian Federation. With the exception of Thailand, which doubles for Cambodia and is primarily a logistics hub for all operations in Southeast Asia, these forward operations are in non-allied countries where there is political presence, but no deployed military assets. As in South Korea, Defense Attaches (DATTs) are accredited in many European countries where WWII losses occurred and significant numbers of US military personnel are deployed or in close proximity.

With DPMO guidance on policy priorities and access agreements reached by US Embassies, US military personnel are available in Europe and South Korea to augment DATT-supervised surveys and investigations and JPAC-supervised excavations. There is no need for additional forward operating bases.

Remains recovery operations in South Korea should proceed as resources and assets permit, as allied US-ROK joint operations, but not to interfere with operations, once restored, in the DPRK where access is problematical and impacted dramatically by factors far removed from humanitarian recovery missions in an allied nation. The US KIA/BNRs buried in South Korea are known dead, and any uncertainty was long ago eliminated as those burial and incident sites are located in the territory of a treaty ally, not a hostile environment.
Forensic reviews should be eliminated on remains recovered jointly under the supervision of a US forensic specialist, but conducted on remains recovered unilaterally by a foreign government prior to repatriation to the US.

DIRECT FUNDING TO THE DEFENSE POW/MISSING PERSONNEL OFFICE (DPMO)

DPMO's role in addressing budget concerns of all participating organizations should not be one of control and disbursement, but support and reinforcement to Congress and other interested parties to ensure funding requirements are adequate and fully met. Though an inherent DPMO responsibility, there was, until very recently, inadequate attention to ensuring the funding streams were intact; thus there were deficiencies that caused serious cutbacks in processing by the Armed Forces DNA Institute and even temporary stoppage of JPAC field operations. (In earlier years, such monitoring was all too often left to the League; we then advocated support for each organization's funding, including expansion when needed, especially for JPAC's CIL.)

There is no single "policy to fund the organizations working to Recover and Identify America's Prisoners of War and Missing in Action" as asserted. There are separately funded elements of the accounting effort that extend far beyond JPAC's recovery and identification charter. Each element came by its funding source as an arrangement to share the budget burden. The Navy's current funding of JPAC was due to its predecessor JTF-FA being a Navy-funded Command under PACOM. CIL's funding by the Army came from the Army's having been designated as the executive agent for mortuary affairs, handling all services. This was inherited through the years as organizations and processes were expanded to meet increasing demands from the League's organization in 1970 to represent Vietnam War POW/MIA families, supported by the large, established veteran groups.

LSEL's Air Force funding was due to the US Air Force having had the vast majority of US Vietnam War losses with original status of POW or MIA, followed by the US Navy, in areas of North Vietnam and Laos where the air war predominantly was fought. The expertise resident in LSEL's Artifact Section is unique and dedicated to a specific support mission, namely analysis of life support materials, rather than remains recovered, that sheds light on air incidents. Despite JTF-FA's, then JPAC's, corrosive attempts to replicate LSEL's expertise, the diverse experience base, and the comparison collection of historical artifacts and aircraft, LSEL's capability remains unique and value-added to the accounting process.

The objective should be adequate funding through each of the funding streams, despite the war-fighting requirements that drain and strain the existing DoD budget. US Government priority on accounting for those who serve – if captured or missing – signals today's military personnel and the entire world that America stands behind those who serve, that we don't give up and walk away, and that we are serious about obtaining answers.

DPMO currently receives DoD funding at fenced levels, including a specific number of dedicated personnel. If necessary to ensure that Military Service provision of assets and resources is protected, funding and personnel should likewise be fenced for all relevant organizations and agencies dealing with the principle of accounting for US personnel, military and civilian, captured or missing in service to our country in time of war.

Despite the reality that the number of active family members is decreasing over time, backing away from this priority commitment, reinforced by successive Presidents since before the end of the Vietnam War, would be perceived as a very negative signal in today's environment of all-volunteer military service. Inattention or reduction of effort would also be roundly condemned by all major national veteran organizations, their auxiliaries and the families who can and do have a willing and responsive audience when needed and desired. We focus now on accountability in past wars and conflicts; however, if the draft were restored, those called will know the level of commitment that this issue has, or has not, enjoyed.

PROPOSALS CONCERNING POW/MIA ISSUES FROM ANCIENT WARS VIETNAM-KOREA-WORLD WAR II

This report has the support of:

World War II Families for the Return of the Missing

National Alliance of Families

Korea War Families

Korean War Veterans Association

Prepared by Ron Broward

June 2008

SUMMARY

The object of this report is to enlist support for new ideas and establish goals for the purpose of expediting the recovery and identification of deceased military Prisoners of War and Missing in Action Servicemen from ancient wars. The report presents a historical perspective and background information upon which these goals were formulated.

This report is the result of nine years of working as a volunteer at the Joint POW/MIA Accounting Command (JPAC), Hickam AFB, Hawaii. In 1999 and 2001 I was fortunate to be able to accompany Search and Recovery Teams to Korea in search of MIA Marines I served with.

After returning from Korea in 2001 I had some ideas that I thought might help to improve our governments POW/MIA Programs. In 2001 Congressman Doug Ose formed a MIA Task Force charged with reviewing the recovery and identification efforts of these agencies to determine how they can be improved, and if they would be more efficient if they were consolidated. As a task force member, I traveled to DPMO and JPAC several times at my own expense to meet with staff members. Suggestions for improvement were presented in 2002, 2004, 2006, and 2007.

The National Memorial Cemetery of the Pacific (Punchbowl) has 857 Unknowns interred from the Korean War. Six of the Unknowns have been identified. Recent research has thirteen additional Unkowns as possible association to MIA's. A shortage of forensic anthropologists at JPAC has delayed the process. To put this in perspective, there have been 91 identifications of Korean War MIA's in the last 52 years.

It is recognized that each of the goals presents a challenge, but with a backlog of thousands of remains yet to be recovered and identified, the present system must be streamlined to improve efficiency and cost effectiveness.

SUMMARY

The biggest obstacle encountered so far is the policy decision set forth by the Defense POW/MIA Personnel Office (DPMO) known as the Most Recent War First Policy. This policy, which has neither been endorsed nor proposed by Congress or the Department of Defense, allocates 80% - 90% of available resources into SEA.

1. Re-organize DPMO by appointing a career government employee, familiar with the POW/MIA Mission, as Director of DPMO with authority to establish centralized management for all agencies in recovery and identification efforts for ancient wars.

2. Department of Defense prepare a Recent Needs Assessment for DPMO and JPAC requested by Government Accountability Office in August 2005.

3. Re-locate the Joint POW/MIA Accounting Command (JPAC) from Hickam AFB, Hawaii, to the Mainland. JPAC forensic anthropologists would be more effective located near other government forensic assets. Current plans are to build a new JPAC facility in Hawaii at an estimated cost of 111 million.

4. Achieve parity in Team Assignments for recovery operations for ancient wars in place of the current policy which places 75% of effort and funding to Southeast Asia.

5. Establish a centralized Outreach Program for Family Reference Samples (mtDNA) within DPMO or JPAC. The Service Casualty Offices do not have the resources to effectively perform this task.

6. Develop a Specific Plan for archival research for ancient wars by a professional historian. Locate historians and analysts for DPMO and JPAC at a location close to the National Archives under one roof for closer working relationships.

7. Establish JPAC detachments in Europe and South Korea to work with foreign governments in the recovery and identification of America's MIA's.

SUMMARY

8. Provide Direct Funding by the Department of Defense to DPMO for all organizations working to recover and identify America's Missing from ancient wars.

When negotiations resume with North Korea, the United States should insist that JPAC Teams be allowed to investigate former United Nations Cemeteries. For example, known burial grounds in North Korea that have not been adequately explored include:

U.N. Military Cemetery	Men Not Returned	
Pyongyang	59	(Several rows not completely excavated)
Yudam-ni	17	(Mass burial site)
Hungnam # 1	2	(Last row in cemetery not excavated)
Hungnam # 2	40	(No remains returned)
Koto-ri # 2	11	(Mass burial site)
Wonsan	3	(Last row in cemetery not excavated)
POW Camps	2464	
Total	2596	

I am convinced recoveries and identifications can be increased significantly by adopting all or some the recommendations in this report.

RE-ORGANIZATION OF THE DEFENSE POW/MIA PERSONNEL OFFICE (DPMO)

Since its inception, DPMO's mission has expanded from initially accounting primarily for missing personnel from the Vietnam War to missing personnel from ancient wars World War II and Korea.

Recoveries and identifications have not kept pace with advances in technology and scientific discoveries. The organization that exists is not capable of assuming this larger mission.

Policy developed in the early years of DMPO for the most part has not changed. Since 2004, 64% of recoveries and identifications are from World War II and Korea, yet 75% of mission scheduling and funding is devoted to Southeast Asia

Increased need for forensic anthropologists, historians, and odontologists has not been met. As a consequence, forensic anthropologists on staff can only spend 17% of their time in the laboratory on identifications. **(Time Allocation graph attached.)**

PROPOSED SOLUTION

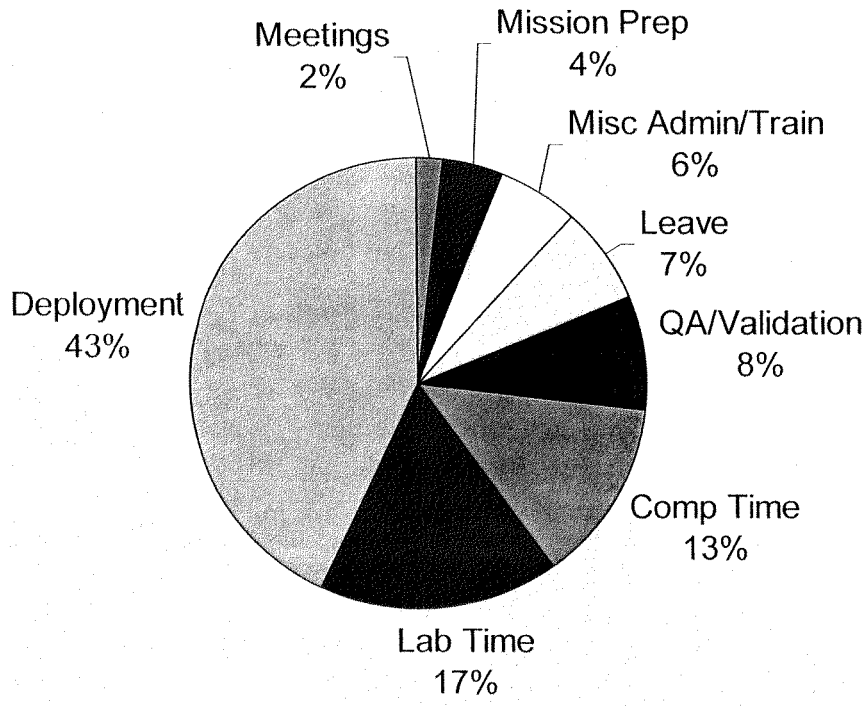
1. Establish DPMO as the single authority for all matters relating to recovery and identification of our missing American Servicemen for ancients wars.

2. Appoint a career government employee, familiar with the POW/MIA Mission, as Director of DPMO.

3. The location of DPMO should remain in the D.C. for Department of Defense and Congressional oversight.

It is my belief that the Secretary of Defense can make the needed changes in organization which will help make our government's POW/MIA Programs more effective and less costly.

Time Allocation of Forensic Anthropologists



MAINLAND LOCATION FOR THE JOINT POW/MIA ACCOUNTING COMMAND

JPAC is located at Hickam Air Force Base, Hawaii. The Air Force needs the space occupied by JPAC. The new building planned for construction will cost 111 million dollars. Locating JPAC on the Mainland has many long term benefits and will lower needed funding for MIA programs.

1. The Central Identification Laboratory at JPAC should be a first responder to national disasters.

2. Archival research for ancient wars will be more productive close to the National Archives and researchers for both DPMO and JPAC could be housed under one roof for closer cooperation.

3. Retention and recruitment of forensic anthropologists and professional historians would be enhanced. The turnover of scientific personnel at JPAC is high which lengthens the identification process.

4. Staff time lost to travel, costs of travel, and expenses related to travel would be reduced.

5. There would be better access by family members of MIA's to JPAC personnel. When an identification is made at JPAC, a family member is flown to JPAC to escort the identified serviceman back to the Mainland.

6. JPAC could be merged with DPMO so there is a single Department of Defense representative and point of contact for all organizations involved in our government's POW/MIA Programs. The fiscal year 2005 National Defense Authorization Act required that the United States Accountability Office review the missions, staffing, and funding of DPMO. DPMO's strategic plan, issued in

MAINLAND LOCATION FOR THE JOINT POW/MIA ACCOUNTING COMMAND

January 2005, specified a goal of implementing an organizational structure that would unify government missing personnel accounting efforts.

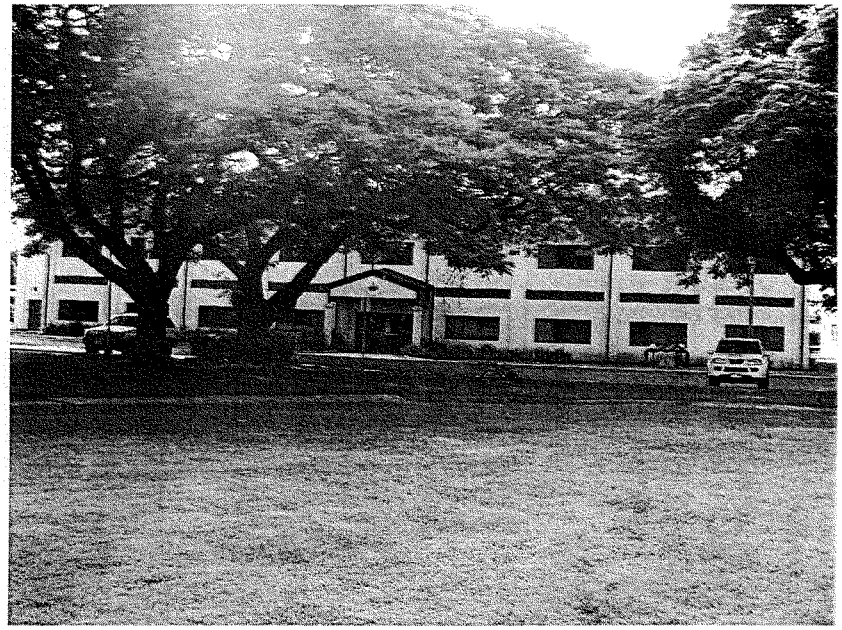
7. DPMO's original mission was to provide centralized management of prisoner of war/missing in action affairs throughout the Department of Defense. With JPAC located 5,000 miles distant under the control of the Pacific Command, it makes it very difficult for DPMO to provide centralized management for POW/MIA Affairs.

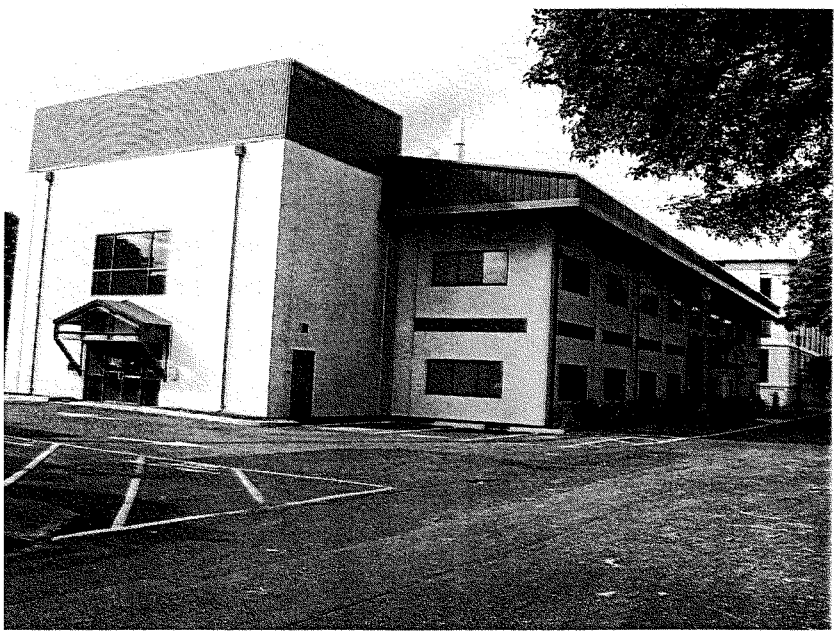
8. Existing vacant government facilities closer to DPMO, the National Archives, and the Armed Forces Identification Laboratory (AFDIL) would reduce needed funding.

9. Recently a meeting was held in Atlanta, Georgia to consider combining Department of Defense forensic assets to a single location. Sites considered are Atlanta, Georgia, Quantico, Virginia, and Rockville, Maryland.

10. During fiscal year 2007, JPAC obtained a building from the U.S. Navy at Pearl Harbor Naval Base. The building is being remodeled and currently houses the J-1 Section of JPAC. The only cost to JPAC is for the remodel and use of utilities. This 20,000 square foot building could be used to house a JPAC Operational Detachment for recoveries in Southeast Asia and the Pacific. The 111 million allocated for a new JPAC structure in Hawaii could be used to house the Central Identification Laboratory close to the Armed Forces Identification Laboratories in Rockville, Maryland.

Building acquired by JPAC from U.S. Navy at Pearl Harbor Naval Station





NEW PLAN FOR ALLOCATION OF RESOURCES

Current DPMO policy for the Mission Scheduling is called the 10-5-10 Plan.

Southeast Asia:	10 Missions	
Worldwide Missions:	10 Missions	(Includes South Korea)
North Korea:	5 Missions	(When allowed in North Korea)

Theoretically this would mean 40% of Mission budgeting would be for Southeast Asia, 40% for Worldwide Mission, and 20% for North Korea. Mission allotment for research and mission scheduling ***has never followed the 10-5-10 Plan***.

Team assignments for Southeast Asia is approximately 75% of teams in the field. Team assignments for Worldwide Missions is approximately 20% of teams in the field. Team assignments for North Korea is approximately 5% of teams in the field, when teams are allowed in North Korea.

There is a need to develop a plan to increase recoveries and identifications. A starting point would be to allocate resources as follows:

Southeast Asia:	33%
Worldwide Missions:	34%
North Korea:	33%

Re-assignment of personnel to meet this goal will take time which may result in less team missions in the field for the short term.

The current practice of bringing in new personnel, both military and civilian with little or no training in archival research is ineffective and a waste of human resources.

The 2008 JPAC Operation Plan places the majority of Team Assignments in Southeast Asia regardless of the fact that 64% of recoveries and identifications are from World War II and Korea since 2004.

NEW PLAN FOR ALLOCATION OF RESOURCES

Identifications 2004 through May 2008		345
Southeast Asia	124	36%
World War II	147	43%
Korea	74	21%

JPAC Mission Schedule 2008 Total	71	
Southeast Asia	50	70%
World War II*	16	23%
Korea	5	7%

*The 2008 JPAC Operation plan mentions 22 missions to World War II sites, but 6 of those missions are tentative.

JPAC Mission Schedule 2008 Team Days	1944	
Southeast Asia	1391	71%
World War II	463	24%
Korea	90	5%

Of the total 345 Identifications 2004 through May 2008, ***77 or 22% were from World War II site Papua New Guinea, yet the 2008 JPAC Operation Plan sent only 1 Recovery Team to Papua New Guinea.***

TEAMS DEPLOYED AND IDENTIFICATIONS SINCE 2004

Please refer to following tables for Team Assignments and Identifications:

Teams Deployed 2004	72		Identifications 2004	60	
Southeast Asia	51	71%	Southeast Asia	29	48%
Worldwide	11	15%	World War II	21	36%
North Korea	10	14%	Korea	10	16%

Teams Deployed 2005	67		Identifications 2005	88	
Southeast Asia	54	81%	Southeast Asia	31	35%
Worldwide	11	16%	World War II	47	54%
North Korea	2	3%	Korea	10	11%

Teams Deployed 2006	59		Identifications 2006	92	
Southeast Asia	45	76%	Southeast Asia	29	32%
Worldwide	8	14%	World War II	43	47%
Korea	6	10%	Korea	20	21%

Teams Deployed 2007	46		Identifications 2007	67	
Southeast Asia	35	76%	Southeast Asia	20	30%
Worldwide	8	17%	World War II	24	36%
Korea	3	7%	Korea	23	34%

Teams Proposed 2008	71		Identifications May 2008	38	
Southeast Asia	50	70%	Southeast Asia	15	39%
Worldwide	16	23%	World War II	12	32%
South Korea	5	7%	Korea	11	29%

OUTREACH FOR FAMILY REFERENCE SAMPLES (FRS)

1. ***The Defense Science Board Report of 1995 recommended that outreach for FRS for ancient wars be conducted within the DPMO structure.*** The recommendation was not accepted.

2. Currently outreach for FRS is conducted by the Service Casualty Offices. The peak year for obtaining FRS was 2001 and has been declining each year. The Service Casualty Offices do not have the resources to conduct an effective outreach program. The average time it takes for the Services to respond to a request from JPAC is 490 days and growing.

   When a family of a MIA declines to give a FRS, the Services will not pursue additional family members. On many occasions JPAC has found a family member which resulted in identifications. The position of the Services is understandable for they want to remain in good graces with the family. However OUR DUTY IS TO THE MIA, and an organization within JPAC or DPMO to conduct the Outreach Program would be able to find other family members for a FRS.

3. Family Reference Samples are used for both identification and exclusion of remains now at JPAC.

4. Currently there are approximately 1300 Unknown remains at JPAC.

5. The forensic anthropologists at JPAC know the most urgent FRS's needed for cases they are working on. The new Outreach Program Office would be tasked to put those requests as a priority.

ESTABLISH A SPECIFIC PLAN FOR ARCHIVAL RESEARCH FOR ANCIENT WARS

Archival research is the most important function to support teams in the field and in the identification of Unknowns interred in our National Cemeteries.

1. Archival research is done at both DPMO and JPAC. The absence of a Specific Plan for archival research and the separation of 5,000 miles between agencies provides for duplication of effort and a waste of valuable resources.

   Researchers at both agencies total approximately 100 staff members. The majority of staff members are analysts with little or no training in archival research.

   A Specific Plan for archival research by a professional historian would ensure that historians and analysts are working together.

2. Our military kept excellent records, but finding those records can be very difficult without the knowledge of professional historians who know the process at the National Archives.

3. Research for MIA's from ancient wars should be located at one location, preferably near the National Archives.

For several years the need for professional historians was mentioned to JPAC. In the military organizational structure research is assigned to the J-2 Section. (Intelligence) If research is to remain in the military structure, the J-2 Commander should come from the Military History Department of one of our military academies.

JPAC did hire three professional historians. One of those historians is now in charge of World War II research. The results have been very good; the majority of identifications now come from WW II. A second professional historian was tasked to organize and catalog the Korean War archives at JPAC. When I first went to CILHI (now JPAC) in

ESTABLISH A SPECIFIC PLAN FOR ARCHIVAL RESEARCH FOR ANCIENT WARS

1998, there was minimal organization of the Korean War Archives. In fact most were in boxes.

The professional historian who organized and cataloged the Korean War Archives at JPAC is now a historian in the World Wide Section. The majority of research for the Korean War was done at DPMO, 5,000 miles distant, and seldom used by the previous Korea War Section. Today under the guidance of a professional historian, the DPMO research is now being used on a daily basis.

Previously, very little work had been completed for American losses in South Korea, a friendly country, where estimates for American MIA's range from 1,200 to 2,061. Research for losses in South Korea has started. The majority of men missing in South Korea were from hill battles which are not farmed or built on. American MIA's in North Korea exceed 6,000.

The interviews of former POW's for Korea need to be declassified. Fifty-five years have elapsed since the war ended.

The point here is that both organizations need a Specific Plan for research developed and administered by professional historians.

All archival research should be located under one roof at a location near the National Archives. There is a need for additional professional historians. ***If JPAC were re-located to the Mainland, recruitment and retention of historians would be improved.***

DPMO DETACHMENTS FOR SOUTH KOREA AND EUROPE

Currently there are three foreign detachments, all in Southeast Asia. They are located in Vietnam, Laos, and Thailand.

Detachment 1, in Thailand, should be closed with a savings of approximately $894,000 plus the salaries of five military personnel. The resources saved would allow DPMO to staff a forensic anthropologist and needed staff in both South Korea and Europe.

From 2000 through May 2008, there have been 661 identifications of American military from Southeast Asia, World War II locations, and Korea.

Identifications: Years 2000 through May 2008		661
Southeast Asia	302	46%
World War II	260	40%
Korea	93	14%

Identifications: Years 2005 through May 2008		285
Southeast Asia	95	33%
World War II	126	44%
Korea	64	23%

World War II losses in Europe and Korea losses are in need of DPMO Detachments to provide logistical support and on-site personnel to work with foreign governments when JPAC teams are in these countries and to do forensic reviews of remains found in these areas by foreign governments.

The government of South Korea set up a program recently to recover and identify missing people from the Korean War which number close to 100,000. The ROK Program is very active and remains found are cremated when they can not be identified. ***In 2006, 66 sets of remains were cremated before JPAC could do a forensic review.***

DPMO DETACHMENTS FOR SOUTH KOREA AND EUROPE

Please refer to **Enclosure 6**, a study by JPAC anthropologists regarding the need for JPAC to have a presence in South Korea.

Three years ago, an idea was presented to JPAC to consider placing a small detachment at the Yongsan U.S. Army Base in Seoul, Korea. During the 50th Anniversary Commemoration of the Korean War, the General Dean Center was constructed at Yongsan. The 8th Army Archives were transferred to this center.

At this time the General Dean Center is staffed by two historians for the United States Forces Korea. ***A small JPAC Detachment here could work with the ROK Recovery Program for a forensic review of remains found, provide logistical support for JPAC teams, and be able to visit sites where we have American losses.***

The argument against finding American MIA remains in South Korea is that the country has had too many infrastructure improvements. This is a bogus argument given that most of the losses were in hill battles where American Units were over run or POW's that died or were executed on POW marches in South Korea. ***One JPAC Investigative Team in 2007 resulted in 2 recoveries and 11 sites to be excavated in 2008.***

U.S. Army Mortuary Affairs is located close to the General Dean Center and wants to be involved in the United States recovery efforts. In addition, American military in Korea want to be involved in trying to locate our MIA's, but JPAC does not have a presence there to organize and use these valuable American assets.

On 14 May 2007, I met with the Chief Historian for United States Forces Korea, located in the General Dean Center. He said he would welcome a JPAC detachment in Korea. This facility has several vacant offices and is used for storage of kitchen equipment except for their archives library and two offices he occupies. He would have to obtain permission from the Commanding General, U.S. Forces Korea, but felt confident approval for a JPAC office would be approved.

DIRECT FUNDING BY THE DEPARTMENT OF DEFENSE TO THE DEFENSE POW/MISSING PERSONNEL OFFICE (DPMO)

Current policy to fund the organizations working to Recover and Identify America's Prisoners of War and Missing in Action come from several sources. The U.S. Army funds the Armed Forces Identification Laboratory (AFDIL). The U.S. Navy funds the Joint Personnel Accounting Command (JPAC). The U.S. Air Force funds the Life Science Equipment Laboratory (LSEL).

1. Direct funding would ensure that DPMO and its supporting organizations would be fully funded each year.

2. Funding shortages that happened at AFDIL in 2003, 2006, and 2007 resulted in the loss of scientific personnel that had been trained over a period of 18 months. In 2003, new DNA laboratories were closed for lack of personnel.

3. When the funds are provided by a warfighting command, it is natural that the Military Commander will use those funds to support the military under their command. The program to find and identify America's POW's and MIA's is a Humanitarian Government Program.

4. All funds to conduct the operations to find and identify America's Missing In Action from Ancient Wars should be to the Defense POW/Missing personnel Office (DPMO). Programs and activities shall be designed and managed to improve standards of performance, economy, and efficiency".

5. ***Direct funding by DOD to DMPO would be less complicated, more effective, and ensure that planned missions for Search and Recovery Teams are on schedule.***

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

JULY 10, 2008

QUESTIONS SUBMITTED BY MRS. DAVIS

Mrs. DAVIS. DPMO has the responsibility of providing for the centralized management of POW/MIA for the Department, including notification to families of information from investigations and other agencies. There are concerns that information and action on cases are not being provided to families. For example, there have been cases where members were removed from the Last Known Alive list but families were not notified, or information on cases provided from private researchers were also not provided to families. What process has DPMO established to ensure that information that it obtain, action taken on specific cases, or identification of remains are relayed to the primary next of kin in a timely manner?

Ambassador RAY. DPMO strives to keep all the service casualty offices fully informed of all new information that is received or developed on the cases of missing personnel so that information can be passed to the families of the missing. At the same time, DPMO is required by law to provide similar information from Vietnam War cases to the general public, which it does through the Library of Congress. Recently, there was a Marine Corps family who located a document in the Library of Congress that they had not received from the Marine Corps casualty office. Likewise, there was a case involving an Air Force family member who had not been informed of the results of the Last Known Alive review of their loved one's case. DPMO regrets both errors. Moreover, DPMO is working even more closely with the services, to include two biannual discussions of such issues, to ensure that the families receive all information on their case in a prompt manner. Moreover, DPMO recently assumed responsibility for compiling, redacting, and providing to the service casualty offices all message traffic from JPAC and DIA, for forwarding to the families. This effort has reduced by three months the time necessary for this information to be provided to the families.

Mrs. DAVIS. The Vietnamese Prime Minister recently visited Washington and met with the President, Secretary of Defense and Acting Secretary of State. The Prime Minister reportedly pledged to allow US Navy ships to participate in underwater recovery operations in Vietnamese waters. We understand that JPAC is planning on using a hydrographic US Navy ship to facilitate the recovery operations. How does the use of a hydrographic ship facilitate the recovery operations?

Ambassador RAY. The utilization of a US Navy hydrographic survey vessel should facilitate JPAC's underwater investigation processes by employing the vessel's state-of-the-art technology in locating and correlating underwater losses. The vessel will assist JPAC in confirming underwater loss locations and better clarifying the subsurface distribution of incident-related material and intra-site patterning of material evidence. Use of a US Navy hydrographic vessel will enable JPAC to conduct underwater investigations prior to any excavation operations.

Mrs. DAVIS. The Vietnamese Prime Minister also pledged to renew unilateral efforts on archival records. What efforts is DPMO taking to leverage this level of commitment? How is this pledge different from those that were made in the past?

Ambassador RAY. DPMO is preparing to follow up on Prime Minister Dung's commitment and re-engage the Vietnamese government to seek access to Vietnamese archival records that could assist our efforts to account for U.S. personnel missing in the Vietnam War. When we meet with the Vietnamese for our policy level assessment on September 17, 2008, we will communicate his statement that the Government of Vietnam has archival records concerning our losses in wartime Laos and Cambodia, whose existence was previously generally denied, and is prepared to provide them unilaterally to us. This is the first time we have received such a high level commitment on this subject, and we will make every effort to ensure it will translate into meaningful results.

Mrs. DAVIS. To what extent has the DPMO or JPAC raised the issue of adequacy of support in the collection of family reference samples by the casualty offices to the senior leadership of the Department? What has been the response?

Ambassador RAY. DPMO has kept the Department's leadership apprised of progress on collecting DNA family reference samples of all unaccounted-for service members from World War II forward, including the significant advances the service casualty offices have achieved in recent years. In order to improve collection even

further, DPMO is currently leading an effort involving JPAC, the service casualty offices, the Armed Forces DNA Laboratory (AFDIL), and the Joint Staff to review all aspects of the family reference sample collection process, identify gaps, and recommend solutions. We anticipate this review will result in further improvement in the efforts by all the organizations involved. The Department supports these efforts.

Mrs. DAVIS. Should DPMO and/or JPAC have some responsibility for collection of family reference samples?

Ambassador RAY. Both DPMO and JPAC have responsibilities in the DNA family reference sample collection process. DPMO is responsible for oversight and coordination of the entire process and for all the organizations that play a role, such as the service casualty offices, AFDIL, and JPAC. JPAC is responsible for identifying cases for which it requires samples and informing the service casualty offices of their requirements. The service casualty offices are responsible for contacting appropriate DNA family reference donors and providing them with collection kits. We believe that our ongoing review will result in improvements in each organization's performance.

Mrs. DAVIS. What should be done to improve the response time in obtaining family reference samples of DNA?

Ambassador RAY. The response time for obtaining DNA family reference samples is based on several factors, and even in relatively straightforward cases, collection can take several months. In those instances in which the service casualty offices must search for suitable donors, successful genealogic research can take 60-90 days. Casualty officers must then make contact with the donor, explain the requirement, and send a collection kit to the family. In some instances, they must make repeated contact to ensure the donor provides a sample and sends it to AFDIL. In cases where no suitable donor can be found despite genealogical research, or appropriate donors will not consent to provide a sample, the response time can be protracted as the service casualty offices seek other solutions. Despite a great amount of hard work by dedicated persons, the effort can stall altogether.

We anticipate that our ongoing review of the DNA family reference sample process will result in some improvements in response times, but in many instances, finding suitable donors who are willing to provide samples will inherently involve a lengthy process, and sometimes we will not succeed.

Mrs. DAVIS. What factors are inhibiting JPAC's ability to reduce the backlog of identifications of remains at the CIL in Hawaii? [Question 24, for cross-reference.]

Admiral CRISP. The term "backlog" is not defined in the traditional sense; all 1,078 boxes of remains have been analyzed; however, identification is impacted by the following factors: (1) The quality of the evidence (in this case, the amount and type of human remains available for analysis with current technology), (2) the quality and quantity of before-death records on which to base a forensic comparison, (3) the quantity and quality of the scientific staff doing the analysis, (4) the adequacy of the laboratory facilities, and 5) the availability of DNA reference samples.

Mrs. DAVIS. To what extent are shortages of personnel in JPAC contributing to the backlog or reducing the time forensic personnel can spend in the labs?

Admiral CRISP. As previously addressed (Question 24), the shortage of qualified scientific staff is not the sole issue regarding the backlog; current technology does not exist to address many of the cases. However, trained forensic anthropologists are vital to our ability to establish identifications. JPAC has 18 authorized civilian anthropologists and 7 archeologists; 13 anthropologists and 5 archeologists are currently assigned. Additionally, the Command utilizes Oak Ridge Institute for Science and Education (ORISE) fellows to supplement our scientific staff to accomplish our mission. We have seen an overall reduction in qualified ORISE applicants over the past five years. The shortage of assigned personnel contributes to a reduction of time spent in the laboratory in order to maintain the operations tempo of 70 team deployments per year. JPAC has taken aggressive action to recruit for these vacancies and is working closely with US Pacific Command and Hawaii's Navy Human Resource Office.

Mrs. DAVIS. JPAC is undergoing a feasibility study to address these concerns, when do you anticipate that the study will be completed?

Admiral CRISP. JPAC is currently conducting a detailed recruiting and retention review. We anticipate completing this review in October 2008 and will forward our findings to the US Pacific Command.

Mrs. DAVIS. To what extent has the DPMO or JPAC raised the issue of adequacy of support in the collection of family reference samples by the casualty offices to the senior leadership of the Department? What has been the response? [Question 27, for cross-reference.]

Admiral CRISP. In 2008, JPAC recommended this complex process be reviewed for improvement. Analysis is being conducted by the DPMO led Senior Study Group

comprised of executive level government officials from throughout the accounting community. The Accounting Community includes operational organizations, the Joint Staff, Combatant Commands, and the Services. The results of the Family Reference Sample process review will then be presented to a Senior Leadership Council for action; Senior Executive Service and General/Flag officers from within the accounting community. The adequacy of support for the collection of family references samples is not solely a military Service issue; it cuts across many organizations and requires support throughout the Department.

Mrs. DAVIS. Should DPMO and/or JPAC have some responsibility for collection of family reference samples?

Admiral CRISP. JPAC is responsible for providing reference sample collection requirements and prioritization of reference samples for collection to the Service Casualty Offices and the Armed Forces DNA Identification Laboratory. JPAC does not recommend being assigned any additional responsibility for direct interface with families to obtain their reference samples. Interfacing with the families is the responsibility of the military Service Casualty Offices.

Mrs. DAVIS. What should be done to improve the response time in obtaining family reference samples of DNA? [Question 29, for cross-reference.]

Admiral CRISP. There are two areas which could improve the Family Reference Sample process: 1) Completion of the process improvement study being conducted by the DPMO led Senior Study Group. 2) A greater awareness of families of the importance of family reference samples to the identification process, as well as leveraging Veteran Service Organizations to assist in locating families of the unaccounted for individuals. Leveraging Veteran Service Organizations does not include contacting families.

QUESTIONS SUBMITTED BY MR. MCHUGH

Mr. MCHUGH. Ambassador Ray, achieving the fullest possible accounting for the prisoners of war and missing from the Nation's past and current wars is a national priority and requires an effort that is worldwide in scope. Furthermore, given the large numbers of service members unaccounted for from past wars. the effort required to achieve the fullest possible accounting will, among other things, require world class resources and structure. I am concerned, however, that neither DOD nor Pacific Command has a strategy, built the required organizations and structure, or committed the resources necessary to achieve the national objective of the fullest possible accounting. My concerns are based on the following: - The current DOD strategy treats the WW II accounting mission remains "very much a work in progress," with no coherent answers apparent as to how the nation will achieve the fullest possible accounting for this war. DOD and JPAC funding and resourcing levels for the next five years are structured "to cover operations at the current level for the Vietnam Conflict, and the Korean War, with the exception of any DPRK [North Korean] operations&.and provides for expanding the level of effort for World War II&.," according to a DOD report provided to the SASC a year ago (July 2007). Funding DPMO and JPAC for the "current level of effort" does not address the evidence of significant unfunded requirements. - Resourcing allocation rules provide up to 70% of those available to the most recent wars, leaving the largest accounting requirements for Korea and World War II to share the remainder. - Reorganization decisions that gave US Pacific Command (with its subordinate units at JPAC/Central Identification Lab) a world-wide accounting mission, without giving the either PACOM or the Navy any additional resources to fund the mission, also eliminated the oversight of the remains recovery and identification process previously exercised on a world-wide basis by the Army as DOD's executive agent for mortuary affairs. It is not clear whether there is any effort to examine how the Army's significant capabilities could be reintegrated into the accounting effort. Given those concerns, how should a future accounting effort be restructured and resourced to achieve the fullest possible accounting on a worldwide scale?

Ambassador RAY. Ideally, a future accounting effort would be structured and resourced to support increased research on World War II and Korean War losses (principally in U.S. archives), increased scientific staff and facilities to support remains identification for all conflicts, and additional remains recovery teams to provide the capacity to increase operations worldwide and provide short-notice, worldwide follow-up to recover remains lying exposed to the elements or sites in imminent danger of destruction by local development. Research should be organized to identify responsibilities for each organization and align all efforts to support communications, investigations, operations, and remains identification. The ultimate goal is to increase the rate of remains identified annually.

More specifically, a future accounting effort should be restructured and resourced by conflict as follows:

1.) World War II:
a) Increase research and analysis to:
— respond to queries from families and other external persons;
— support investigations, excavations, and remains identifications, and;
— define losses that are not recoverable.
b) Increase and prioritize WWII remains recovery operations to:
— comply with Congressional guidance to pursue aviation losses in the Southwest Pacific, including Papua New Guinea;
— respond to information provided by non-USG entities identifying sites for excavation, and;
— focus on sites in countries where personnel accounting operations can support broader National engagement goals.
c) Develop the Personnel Missing World War II data base to enable family access and support for United States Government efforts.

2.) Korean War:
a) Increase emphasis on:
— improving DNA identification technologies and other forensic support for the identification of Korean War remains already recovered and;
— archival research to support the identification process.

This effort will require additional scientific staff and facilities, which will also benefit other conflicts.

b) Establish and fund a separate initiative focused on:
— research to improve DNA support to remains identification and possibly solve problems associated with identifying Korean War remains buried as unknowns.
c) At the same time, to the extent the information base and international access permit:
— maintain sufficient recovery and investigative teams to investigate and recover losses on the Korean Peninsula and, when relevant, China. This includes the ability to work in South Korea at the same time as North Korea, when operations resume in the latter.
d) Develop the capability to exploit our new access to China's military archives.
e) Facilitate inter-agency planning toward a Vietnam War fullest possible accounting approach to operations in the North when operations resume there.

Vietnam War:
a) Increase remains recovery operations to focus on:
— investigating cases and excavating sites while the relatively perishable remains still present can still be recovered, and;
— decrease the lengthy and longstanding backlog of recovery sites in Vietnam and Laos.
b) Maintain analytic and research resources sufficient to manage the extensive information base on each case, support investigations and excavations, and respond to family and other queries.
c) Maintain sufficient in-country Vietnamese, Lao, and Cambodian language investigators sufficient enough in number to exploit the aging witness population to the maximum.

Mr. MCHUGH. Ambassador Ray, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. There are significant numbers of remains (1200–1400) already at the Central Identification Lab in Hawaii, awaiting identifications. To what extent does the FY 09–13 budget submission provide the resources to substantially reduce the number of remains awaiting identification? Under the FY 09–13 funding levels, what will be the number of remains at CIL still awaiting identification in 2013? [Question 8, for cross-reference.]

Ambassador RAY. The requirements determination process for JPAC and DPMO is part of the Department's larger process in support of the President's budget request. DPMO is developing, validating, and prioritizing its FY09 Budget Execution Plan, mapping all requirements to the DPMO Strategic Plan and internally prioritizing those requirements to identify the mission essential efforts that warrant

additional funding consideration. Identifying and tracking those requirements is a continuous process. It is our goal to mitigate all mission critical unfunded requirements that arise during FY09 through the Department's Budget Execution Process.

DPMO identified additional FY 2010–2015 funding requirements that the Department will evaluate in the DoD FY 10–15 POM process. Decisions on these requests will be documented in future budget requests.

JPAC will be responding to the Committee, under separate cover, regarding their requirements determination process and unfunded requirements.

Mr. MCHUGH. Ambassador Ray, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. JPAC is authorized 18 field teams, but we are told that they have sufficient manning for only 15. Does the FY09–13 budget request provide JPAC with full manning of all 18 teams?

Ambassador RAY. Please refer to question #8 regarding our requirements determination process. Additionally, JPAC will be responding to the Committee under separate cover regarding their requirements process and manning issues.

Mr. MCHUGH. Ambassador Ray, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. If, as we are told, the field research and recovery effort by JPAC requires existing teams to maintain a very high optempo, a deployment-to-dwell time ratio of 1:1, to what extent does the FY 09–13 budget request provide additional JPAC manpower to reduce that high optempo?

Ambassador RAY. Please refer to question #8 regarding our requirements determination process. Additionally, JPAC will be responding to the Committee under separate cover regarding the question of whether or not the FY 09–13 budget submission provides additional JPAC manpower to reduce their optempo.

Mr. MCHUGH. Ambassador Ray, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. We are told that JPAC forensic anthropologists spend about 17% of their time in the lab and 47% on deployments/field recoveries, compared to a DPMO standard, we are told, that indicates they should be spending about 50% of their time in the lab. Does JPAC have sufficient anthropologists to meet all mission requirements? Does the FY09–13 budget request provide the resources to allow JPAC to meet the 50% objective?

Ambassador RAY. While we have laid out our requirements determination process in our response to question #8, the personnel accounting community is focused on solving the critical problems associated with forensic support and field excavations your question identifies. Additionally, JPAC will be responding to the Committee under separate cover regarding the question of whether or not they have sufficient anthropologists to meet all mission requirements, and how their budget submission meets objectives.

Mr. MCHUGH. Ambassador Ray, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. Do JPAC and DPMO maintain an unfunded requirements list? Can DPMO and JPAC provide that to us?

Ambassador RAY. The requirements determination process for JPAC and DPMO is part of the Department's larger process in support of the President's budget request. DPMO is developing, validating, and prioritizing its FY09 Budget Execution

Plan, mapping all requirements to the DPMO Strategic Plan and internally prioritizing those requirements to identify the mission essential efforts that warrant additional funding consideration. Identifying and tracking those requirements is a continuous process. It is our goal to mitigate all mission critical unfunded requirements that arise during FY09 through the Department's Budget Execution Process.

DPMO identified additional FY 2010–2015 funding requirements that the Department will evaluate in the DoD FY 10–15 POM process. Decisions on these requests will be documented in future budget requests.

JPAC will be responding to the Committee, under separate cover, regarding their requirements determination process and unfunded requirements.

Mr. MCHUGH. Ambassador Ray, the DOD personnel accounting strategy allocates the available resources (largely a function of the dollars available), as follows: 65% for Vietnam War, 20% for Korean War (North Korea), and 15% for World War II. What's more, because access to North Korea is suspended, the Vietnam War is getting 70–75% of the resource allocation. The subcommittee has heard concerns that this resource allocation needs to be readjusted because the resource allocation priority on Southeast Asia has not resulted in increased identifications there, and that reallocation of some resources to other previous conflicts may result in an overall increase in recovery and identification of Americans MIAs from all conflicts. Is the DOD resource allocation and "most recent first" approach consistent with the government's objective of achieving the fullest possible accounting for all wars?

Ambassador RAY. DPMO, with JPAC's assistance, is currently reassessing the "most recent conflict first" concept and the 65–20–15 formula to determine if this approach is consistent with the government's objective of achieving the fullest possible accounting for all wars. We are developing guidance that devotes a meaningful, serious, and balanced level of effort to account for Americans missing in past conflicts, regardless of the conflict, and one that recognizes this is an enduring mission that will go on for the foreseeable future. As part of this effort, we are discussing overarching guidance that will apply to all conflicts, as well as a summary of the direction for each conflict, based on its own unique requirements. We look forward to sharing the results of our deliberations with the Committee as soon as they are complete.

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Ambassador RAY. DPMO, with JPAC's assistance. is currently reassessing the "most recent conflict first" concept and the 65–20–15 formula. We are developing guidance that devotes a meaningful, serious, and balanced level of effort to account for Americans missing in past conflicts, regardless of the conflict, and one that recognizes this is an enduring mission that will go on for the foreseeable future. As part of this effort, we are discussing overarching guidance that will apply to all conflicts, as well as a summary of the direction for each conflict, based on its own unique requirements. JPAC is prepared to re-adjust their accounting operations in the field based on the revised national-level guidance. We look forward to sharing the results of our deliberations with the Committee as soon as they are complete.

Mr. MCHUGH. Ambassador Ray, the purpose of the outreach program is to contact persons authorized to direct the disposition of remains and acquire reference DNA specimens from the families of Americans who are MIAs. Currently outreach to families to obtain family reference samples are the responsibility of the military services' casualty offices. Without such DNA reference samples, according to a July 1995 Defense Science Board Task Force report, many identifications (500 cases from Southeast Asia, 200 remains that were repatriated by North Korea, and 865 unidentified American remains from Korea interred in the National Memorial Cemetery of the Pacific in Honolulu, Hawaii) may not be identified. However, given the many competing demands on the service casualty offices, there is concern that these offices do not have the resources to conduct effective outreach programs to family members to obtain DNA reference samples. For example, JPAC forensic scientists estimate that three to four years elapse between the time a sample is requested and when it is received. To what extent has the DPMO or JPAC raised the issue of ade-

quacy of support in the collection of family reference samples by the casualty offices to the senior leadership of the Department? What has been the response?

Ambassador RAY. DPMO has kept the Department's leadership apprised of progress on collecting DNA family reference samples, on all unaccounted for service members from World War II forward, including the significant advances the service casualty offices have achieved in recent years. To improve collection even further, DPMO is currently leading an effort involving JPAC, the service casualty offices, the Armed Forces DNA Laboratory (AFDIL), and the Joint Staff to review all aspects of the family reference sample collection process, identify gaps, and recommend solutions. We anticipate this review will result in further improvement in the efforts by all the organizations involved. The Department's leadership supports this effort.

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Ambassador RAY. The response time for obtaining DNA family reference samples is based on several factors, and even in relatively straightforward cases, collection can take several months. In those instances in which the service casualty offices must search for suitable donors, successful genealogic research can take 60–90 days. Casualty officers must then make contact with the donor, explain the requirement, and send a collection kit to the family. In some instances, they must make repeated contact to ensure the donor provides a sample and sends it to AFDIL. In cases where no suitable donor can be found despite genealogical research, or appropriate donors will not consent to provide a sample, the response time can be protracted as the service casualty offices seek other solutions. Despite a great amount of hard work by dedicated persons, the effort can stall altogether.

We anticipate that our ongoing review of the DNA family reference sample process will result in some improvements in response times, but in many instances, finding suitable donors who are willing to provide samples will inherently involve a lengthy process, and sometimes we will not succeed.

Mr. MCHUGH. Ambassador Ray, why does DPMO classify cases as "No Further Pursuit" (NFP) when there are indeed leads that have yet to be followed in some of these cases? I have been told by POW/MIA families that DPMO assigns the NFP

classification to cases where all leads have been followed, every avenue of investigation has been pursued and there is simply nothing more than can be done. However, I am also told that even in NFP cases where new information comes up or leads are being followed, the cases remains classified as NFP. Can you explain? On what basis does DPMO move a case from the NFP category? How does a family get the NFP classification changed?

Ambassador RAY. To maximize our manpower and other resources, DPMO analysts, in coordination with JPAC analysts and representatives from the Defense Intelligence Agency and the Life Sciences Equipment Laboratory, prioritize our investigative and recovery work in Southeast Asia. Cases are put in the "no further pursuit" (NFP) category only when it is the consensus of the analysts that in investigating the leads they have developed clear and convincing evidence demonstrating that the remains of the American are unrecoverable and further efforts on the case would be futile. Nevertheless, should we receive promising new information that indicates the remains are recoverable, we will investigate that information. If, based on this new information, it appears that the remains may be recoverable, the case will be removed from the NFP category.

Mr. MCHUGH. Ambassador Ray, family members have told me that they have no recourse when they feel that DPMO is making an error or overlooking pertinent information in a case of an unaccounted for service member. What is the appeal or review mechanism or process in such cases?

Ambassador RAY. In my tenure at DPMO, I have found the office to be one of the most transparent offices in the United States Government. We incorporate, at all levels, the families' views, as well as those of all other elements of the accounting community, in order to achieve the fullest possible accounting. Steps involving every aspect of a case are immediately reported to the primary next of kin through the service casualty offices. Should they wish to appeal any part of our approach to accounting, they simply need to communicate their views to me, and I will ensure these are received and reviewed at all levels before issuing a response.

Mr. MCHUGH. Admiral Crisp, achieving the fullest possible accounting for the prisoners of war and missing from the Nation's past and current wars is a national priority and requires an effort that is worldwide in scope. Furthermore, given the large numbers of service members unaccounted for from past wars, the effort required to achieve the fullest possible accounting will, among other things, require world class resources and structure. I am concerned, however, that neither DOD nor Pacific Command has a strategy, built the required organizations and structure, or committed the resources necessary to achieve the national objective of the fullest possible accounting. My concerns are based on the following: - The current DOD strategy treats the WW II accounting mission remains "very much a work in progress," with no coherent answers apparent as to how the nation will achieve the fullest possible accounting for this war. - DOD and JPAC funding and resourcing levels for the next five years are structured "to cover operations at the current level for the Vietnam Conflict, and the Korean War, with the exception of any DPRK [North Korean] operations&.and provides for expanding the level of effort for World War II&.," according to a DOD report provided to the SASC a year ago (July 2007). - Funding DPMO and JPAC for the "current level of effort" does not address the evidence of significant unfunded requirements. - Resourcing allocation rules provide up to 70% of those available to the most recent wars, leaving the largest accounting requirements for Korea and World War II to share the remainder. - Reorganization decisions that gave US Pacific Command (with its subordinate units at JPAC/Central Identification Lab) a world-wide accounting mission, without giving the either PACOM or the Navy any additional resources to fund the mission, also eliminated the oversight of the remains recovery and identification process previously exercised on a world-wide basis by the Army as DOD's executive agent for mortuary affairs. It is not clear whether there is any effort to examine how the Army's significant capabilities could be reintegrated into the accounting effort. Given those concerns, how should a future accounting effort be restructured and resourced to achieve the fullest possible accounting on a worldwide scale? [Question 30, for cross-reference.]

Admiral CRISP. The October 2006 DoD Strategy to Recover and Account for Missing Personnel, identifies a level of effort by the following: 65% for the Vietnam War, 20% for the Korean War and 15% for World War II. This strategy is currently being reviewed by DPMO. JPAC is structured to accomplish our mission effectively and efficiently, now and in the future, given where the preponderance of unaccounted for individuals is located. We conduct an average of 70 team deployments and establish 70 identifications per year. JPAC currently has only one significant unfunded requirement: helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond. When JPAC was established in Oc-

tober 2003, the US Pacific Command and Navy received all funding originally programmed for the US Army's Central Identification Laboratory, Hawaii. JPAC is in compliance of DoD Directives, Instructions, and Regulations as established by the DoD Executive Agent for Mortuary Affairs and uses the assistance of Army Mortuary' Affairs offices in some theaters.

Mr. MCHUGH. Admiral Crisp, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. There are significant numbers of remains (1200–1400) already at the Central Identification Lab in Hawaii, awaiting identifications. To what extent does the FY 09–13 budget submission provide the resources to substantially reduce the number of remains awaiting identification? Under the FY 09–13 funding levels, what will be the number of remains at CIL still awaiting identification in 2013? [Question 31, for cross-reference.]

Admiral CRISP. JPAC follows the same rigorous capability/capacity based requirements determination process as established throughout the DoD. The foundation for JPAC's accounting mission is established in Title 10 United States Code, Sections 1501 through 1513, the Missing Service Personnel Act and DoD Directive 2310.7. As stated in Question 30, JPAC currently has only one significant unfunded requirement; helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond. We are programmed for an FY2010/11 MILCON project which will significantly increase our laboratory facilities thereby potentially reducing the number of remains awaiting identification. I cannot predict the number of remains that will be awaiting identification in 2013 primarily because JPAC cannot forecast which counties we'll have access to or the quantity or quality of remains recovered at future sites.

Mr. MCHUGH. Admiral Crisp, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. JPAC is authorized 18 field teams, but we are told that they have sufficient manning for only 15. Does the FY09–13 budget request provide JPAC with full manning of all 18 teams?

Admiral CRISP. The JPAC budget request provides for 18 teams of authorized end strength and requisite support staff. Historically, the DoD mans Joint organizations at 85% to 92%; currently our military manning is at 92%. As stated in question 31, JPAC follows the same rigorous capability/capacity based requirements determination process as established throughout the DoD. The foundation for JPAC's accounting mission is established in Title 10, United States Code, Sections 1501 through 1513, the Missing Service Personnel Act and DoD Directive 2310.7. As stated in Question 30, JPAC currently has only one significant unfunded requirement; helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond.

Mr. MCHUGH. Admiral Crisp, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. If, as we are told, the field research and recovery effort by JPAC requires existing teams to maintain a very high optempo, a deployment-to-dwell time ratio of 1:1, to what extent does the FY 09–13 budget request provide additional JPAC manpower to reduce that high optempo?

Admiral CRISP. The FY2008 average deployment tempo for field teams is 113 days, less than a 1:1 ratio of 176 days. Some senior team leaders were deployed at a higher average of close to 1:1, as many times senior team leaders deployed earlier or were deployed on additional small team missions. JPAC has 18 team leader authorizations and 13 currently assigned. All team leader positions are O–3 billets;

however, we recently accepted two O–2 candidates. My recent command guidance, for future planning, is to not deploy personnel for longer than 160 days each year in order to keep the operations tempo below 1:1. Our military manning is 92%, which is fully mission capable. The FY09/13 budget does not request additional manpower to reduce the high operations tempo. JPAC is using the military to civilian billet conversion, initiated in fiscal year 2008 and extend over a three year period with all actions to be complete by the end fiscal year 2010, as an opportunity to shape the quality and quantity of the staff; specifically adding four forensic anthropologists to the JPAC laboratory in order to mitigate the operations tempo on our scientific workforce. As noted in answers to previous questions, JPAC follows the same rigorous capability/capacity based requirements determination process as established throughout the DoD. The foundation for JPAC's accounting mission is established in Title 10, United States Code. Sections 1501 through 1513, the Missing Service Personnel Act and DoD Directive 2310.7. As stated in Question 30, JPAC currently has only one significant unfunded requirement; helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond.

Mr. McHugh. Admiral Crisp, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. We are told that JPAC forensic anthropologists spend about 17% of their time in the lab and 47% on deployments/field recoveries, compared to a DPMO standard, we are told, that indicates they should be spending about 50% of their time in the lab. Does JPAC have sufficient anthropologists to meet all mission requirements? Does the FY09–13 budget request provide the resources to allow JPAC to meet the 50% objective?

Admiral Crisp. The DPMO Strategy dated October 2006 states 50% of the anthropologists' time should be spent "engaged in identifying remains". The identification process actually begins in the field at the excavation site. JPAC has not submitted a budget request for FY09–13 to meet a 50% objective. However, in FY 2009, I will increase forensic anthropologists' billets to 22 from the current 18; this is accommodated from within my overall end strength. Hiring these additional personnel will increase the percentage of time the anthropologists spend engaged in identifying remains. Historically, JPAC has relied on the ORISE fellowship program to provide additional deploying forensic anthropologists. We have initiated several programs to improve retention and recruiting. A report of actions taken will be forwarded to the US Pacific Command in October 2008 at the conclusion of the recruiting and retention review. We will reevaluate the success of these programs in September 2009. As stated in previous questions, JPAC follows the same rigorous capability/capacity based requirements determination process as established throughout the DoD. The foundation for JPAC's accounting mission is established in Title 10, United States Code, Sections 1501 through 1513, the Missing Service Personnel Act and DoD Directive 2310.7. As stated in Question 30, JPAC currently has only one significant unfunded requirement: helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond.

Mr. McHugh. Admiral Crisp, the budget justification material sent to us with the fiscal year 2009 Department of Defense request indicates that DPMO, JPAC and the other organizations in the accounting community are funded to meet 100% of their requirements, not only in 2009, but also through 2013. I would like to know more about the comprehensiveness of the requirements determination process that both of you go through, because it seems to me that there are indications that both your organizations may have substantial unfunded requirements for missions, money and personnel. Do JPAC and DPMO maintain an unfunded requirements list? Can DPMO and JPAC provide that to us?

Admiral Crisp. As stated in previous questions, JPAC follows the same rigorous capability/capacity based requirements determination process as established throughout the DoD. The foundation for JPAC's accounting mission is established in Title 10, United States Code, Sections 1501 through 1513, the Missing Service Personnel Act and DoD Directive 2310.7. As stated in Question 30, JPAC currently has only one significant unfunded requirement; helicopter costs in Southeast Asia have increased substantially which has resulted in our submission of a POM 2010 requirement for $9M to cover the estimated costs for fiscal year 2010 and beyond.

Mr. MCHUGH. Admiral Crisp, the DOD personnel accounting strategy allocates the available resources (largely a function of the dollars available), as follows: 65% for Vietnam War, 20% for Korean War (North Korea), and 15% for World War II. What's more, because access to North Korea is suspended, the Vietnam War is getting 70–75% of the resource allocation. The subcommittee has heard concerns that this resource allocation needs to be readjusted because the resource allocation priority on Southeast Asia has not resulted in increased identifications there, and that reallocation of some resources to other previous conflicts may result in an overall increase in recovery and identification of Americans MIAs from all conflicts. Is the DOD resource allocation and "most recent first" approach consistent with the government's objective of achieving the fullest possible accounting for all wars?

Admiral CRISP. JPAC tracks the execution of the DoD Personnel accounting strategy by the number of teams deployed vice the dollars available. The Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs is currently reassessing the current strategy placing emphasis on the most recent conflict, along with the level of effort (65–20–15) currently directed within the strategy. JPAC conducts the bulk of its accounting work in Southeast Asia based on the guidance and direction provided by OSD. We look forward to the DoD reassessment of the current guidance and level-of-effort for personnel accounting and are prepared to adjust our accounting operations based on the revised national-level guidance.

Mr. MCHUGH. Admiral Crisp, the DOD personnel accounting strategy allocates the available resources (largely a function of the dollars available), as follows: 65% for Vietnam War, 20% for Korean War (North Korea), and 15% for World War II. What's more, because access to North Korea is suspended, the Vietnam War is getting 70–75% of the resource allocation. The subcommittee has heard concerns that this resource allocation needs to be readjusted because the resource allocation priority on Southeast Asia has not resulted in increased identifications there, and that reallocation of some resources to other previous conflicts may result in an overall increase in recovery and identification of Americans MIAs from all conflicts. Do DPMO and JPAC believe the resource allocation and "most recent first" strategy need to be revised? If so, how?

Admiral CRISP. The Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs is currently reassessing the current strategy placing emphasis on the most recent conflict, along with the level of effort (65–20–15) currently directed within the strategy. We look forward to the DoD reassessment of the current guidance and level-of-effort for personnel accounting and are prepared to adjust our accounting operations based on revised national-level guidance. JPAC will then review the new guidance to determine the appropriate manpower and funding resources required to conduct field and laboratory work, as well as any environmental and political challenges our operations face.

Mr. MCHUGH. Admiral Crisp, the purpose of the outreach program is to contact persons authorized to direct the disposition of remains and acquire reference DNA specimens from the families of Americans who are MIAs. Currently outreach to families to obtain family reference samples are the responsibility of the military services' casualty offices. Without such DNA reference samples, according to a July 1995 Defense Science Board Task Force report, many identifications (500 cases from Southeast Asia, 200 remains that were repatriated by North Korea, and 865 unidentified American remains from Korea interred in the National Memorial Cemetery of the Pacific in Honolulu, Hawaii) may not be identified. However, given the many competing demands on the service casualty offices, there is concern that these offices do not have the resources to conduct effective outreach programs to family members to obtain DNA reference samples. For example, JPAC forensic scientists estimate that three to four years elapse between the time a sample is requested and when it is received. To what extent has the DPMO or JPAC raised the issue of adequacy of support in the collection of family reference samples by the casualty offices to the senior leadership of the Department? What has been the response?

Admiral CRISP. While the 1995 Defense Science Board report noted identification of unidentified Americans from the Korean War interred in the National Memorial Cemetery of the Pacific could likely be assisted by DNA, subsequent forensic analysis of disinterred remains have determined the formaldehyde used by the Central Identification Unit in Kokura, Japan has inhibited the extraction of usable DNA. JPAC began tracking Family Reference Sample request dates in 2005; of the 482 requests submitted to the Services in 2005, 219 have not yet been obtained for a variety of reasons. As stated in previous answers, DPMO is leading a community wide study of this issue. The results of the study will be provided to the Accounting Community's Senior Study Group and Senior Leadership Council. These groups are comprised of executive level government officials from throughout the accounting community. The accounting community includes operational organizations, the Joint

Staff, Combatant Commands, and the Services. The results of the Family Reference Sample process review will be presented to a Senior Leadership Council; Senior Executive Service and General/Flag officers from within the accounting community. Additionally, as stated in question 27, the adequacy of support for the collection of family references samples is not solely a Service issue; it cuts across many organizations and requires support throughout the Department.

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Admiral CRISP. As stated in question 28, JPAC is responsible for providing reference sample requirements and prioritization of reference samples for collection to the Service Casualty Offices and the Armed Forces DNA Identification Laboratory. JPAC does not recommend any additional responsibility to interface directly with families to obtain their reference samples. DPMO is currently conducting a review of the Family Reference Sample process. The results will be presented to the DPMO led Senior Study Group comprised of executive level government officials from throughout the accounting community. The accounting community includes operational organizations, the Joint Staff, Combatant Commands, and the Services. The results of the Family Reference Sample process review will then be presented to a Senior Leadership Council for action; Senior Executive Service and General/Flag officers from within the accounting community. The adequacy of support for the collection of family references samples is not solely a Service issue: it cuts across many organizations and requires support throughout the Department.

Mr. MCHUGH. Admiral Crisp, the purpose of the outreach program is to contact persons authorized to direct the disposition of remains and acquire reference DNA specimens from the families of Americans who are MIAs. Currently outreach to families to obtain family reference samples are the responsibility of the military services' casualty offices. Without such DNA reference samples, according to a July 1995 Defense Science Board Task Force report, many identifications (500 cases from Southeast Asia, 200 remains that were repatriated by North Korea, and 865 unidentified American remains from Korea interred in the National Memorial Cemetery of the Pacific in Honolulu, Hawaii) may not be identified. However, given the many competing demands on the service casualty offices, there is concern that these offices do not have the resources to conduct effective outreach programs to family members to obtain DNA reference samples. For example, JPAC forensic scientists estimate that three to four years elapse between the time a sample is requested and when it is received. What should be done to improve the response time in obtaining family reference samples of DNA?

Admiral CRISP. As stated in question 29, there are two areas which could improve the Family Reference Sample process: 1) Completion of the process improvement study being conducted by the DPMO led Senior Study Group. 2) A greater awareness of families of the importance of family reference samples to the identification process as well as leveraging Veteran Service Organizations to assist in locating families of the unaccounted for individuals. Leveraging Veteran Service Organizations does not include contacting families.

QUESTIONS SUBMITTED BY DR. SNYDER

Dr. SNYDER. What processes are in place to ensure that families are notified when there is change of status regarding a service member? Is there a process for determining whether or not a family wants to be notified of a change of status, in order to prevent unnecessary emotional stress?

Ambassador RAY. The Department has longstanding practices and procedures to notify family members when a change in their loved one's status is about to take place. Prior to any status change, i.e. a pending identification of remains, the re-

spective service casualty office is in close contact with the designated Primary Next of Kin (PNOK) and/or the Person Authorized to Direct Disposition (PADD) of remains. Once JPAC identifies remains it sends that information to the appropriate service casualty officer. The service casualty officer reviews the information for completeness and arranges a time to meet with the family to brief them on the identification process and the identification of their loved one's remains. No change in status is made until the PNOK formally accepts the identification of the remains.

We are obligated to notify all families about changes in status. The service casualty offices have been in contact with the families of our missing for many years and consequently know best which particular family member to relay this information to and the appropriate manner in which to do it. DPMO has a team of four military personnel (three officers and one NCO) who work in DPMO's External Affairs (EA) Directorate and serve as liaisons to the service casualty offices. All requests for information made by the services, on behalf of their family members, to DPMO come through the EA liaison team, which ensures the questions are addressed by the analytic and/or policy staff within the office. Conversely, information obtained or developed by DPMO that relates to a specific case is passed from DPMO through the EA officers to their counterparts in the services for forwarding to the appropriate family.

Dr. SNYDER. Should DPMO and JPAC be given flexibility to shift the number of missions they allocate to a given country based on the rate of remains recovered per team?

Ambassador RAY. We have sufficient flexibility to assign teams around the world. Decisions on where to assign teams are based on many criteria. These include sites where we may find information on Americans who were prisoners of war, or are believed to be good candidates to have been captured, yet we lack convincing evidence of death; remains are exposed or are in imminent danger of loss; we have sufficient information to support a productive excavation; ability to obtain access to the area or country; existing commitments to individual countries or families; and weather and other logistical considerations.

As a practical matter, allocating teams based solely on the rate of remains recovered per team in a given country would likely result in focusing chiefly on multicrew World War II aircraft losses. In fact as long as we are not operating in North Korea, a decision made solely on this criterion would mean that we ceased all Korean War, Vietnam War, and Cold War accounting operations.

Dr. SNYDER. There is anecdotal evidence that North Korea regularly disturbs or even falsifies sets of remains that they lead JPAC teams to. Should DPMO and JPAC be given flexibility to cancel missions to North Korea when they become particularly uncooperative?

Ambassador RAY. To date, we have recovered U.S. remains on every remains recovery operation undertaken in North Korea. In some cases, remains have been planted and sites disturbed prior to our arrival, apparently to ensure that our excavations always result in the recovery of remains. We have repeatedly asked the government of North Korea not to engage in this activity, even if it means that an excavation might result in our teams not finding remains, and we will continue to do so.

Nonetheless, it is our assessment that operations have been sufficiently productive to justify continuation. DPMO and JPAC personnel working in North Korea are responsible for reporting daily to the Department and USPACOM. Should conditions deteriorate to an unacceptable degree, the Department is prepared to reassess available options based on the observations and recommendations of both DPMO and JPAC.

Dr. SNYDER. There is anecdotal evidence that North Korea regularly uses funding we grant them to pay for the administration and personnel costs of researching and recovering remains in unintended ways, like building barracks. Are there any auditing controls to prevent these abuses? Does DPMO or JPAC need additional authorities or greater flexibility in regulations to negotiate with North Korea to prevent these abuses?

Ambassador RAY. At this time, neither DPMO nor JPAC requires additional authorities or greater flexibility in regulations relative to negotiations. We negotiate on a government-to-government basis with many countries around the world, to include North Korea. We routinely reimburse these governments for their expenses, and we rely on them to disburse those funds internally, according to their own systems of law and governance.

The Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs has the authority to negotiate reimbursement for operational expenses associated with remains recovery operations in North Korea, and we make every effort to ensure that the negotiated payment fairly reflects actual expenses. In addition, during

operations JPAC has the authority to deny requests for any additional reimbursement beyond that agreed to during negotiations.

Dr. SNYDER. Could you discuss the number of U.S. personnel that have been lost in support of the JPAC mission, including Central Identification Laboratory–Hawaii (CILHI) and Task Force Full Accounting? Could you discuss the risk assessment undertaken by JPAC in evaluating whether or not to pursue leads, balancing the mission against service members' safety? In particular, could you discuss risk assessment of missions in North Korea? If a service member is injured there, how is that handled? Would they be treated there or in South Korea? Are there emergency cross border flight agreements in place for these missions?

Admiral CRISP. (1) A total of eight personnel have lost their lives while conducting the fullest possible accounting mission; one individual was shot on the third day of a recovery mission in Vietnam on 15 December 1973 and seven individuals were killed in a helicopter accident in Vietnam on 07 April 2001.

(2) Risk mitigation is a significant aspect of our mission planning and decisions prior to any mission.

a) General: The JPAC mission deploys military and civilian personnel worldwide to some modem areas but most are very austere. We conduct a thorough risk assessment for every mission based on location, difficulty of excavation, difficulty of site, dangers associated with the excavation, communications capabilities, mission requirements, and professional experience and capabilities of the individual team members. Each area has different risks associated. Risk is assessed as Low, Moderate, High, or Extremely High based on such things as terrain, flora/fauna, weather, communications, medical care available, the current political situation in the planned area of operation, crime levels, cultural considerations, Intelligence information, background information from US Embassies and previous lessons learned from past operations.

b) Communications: An essential element for team safety is communications capabilities. With few exceptions, our teams deploy with a standard communication package which includes satellite communications equipment, VHF/HF equipment, repeater systems, and worldwide cell phones. Typically, our communications capabilities are excellent and our host nation counterparts approve the use of our standard equipment list. That was not the case, however, in North Korea. Communications were severely limited; satellite and cell phone communications were not permitted. JPAC was reliant on short range HF radio communications. Reliable and redundant communications has been a topic of past negotiations and will continue to be a significant subject for our future negotiations.

c) Medical: Part of safety risk assessment is the medical officer's evaluation of the county's medical capabilities and assets. This evaluation includes: hospitals and clinics available for treatment; transportation for MEDEVACS; times involved to evacuate to nearest care; closest US Military Treatment Facility (MTF); dangers involved on missions such as high altitude sites, underwater sites, and mountaineering sites; equipment needed to evacuate in an emergency such as jungle penetrators, winch operations, hyperbaric dive chambers; dangers involved at site due to diseases, animals, flora & fauna or other natural risks. JPAC goes to great lengths to mitigate the risks in these austere environments by conducting advanced training, placing helicopters at the site for MEDEVACs, a rigorous medical screening program including immunizations, supplying advanced equipment, such as Hyperlite portable dive chambers, and staffing missions with highest trained medics in DOD. Once all factors have been reduced to the lowest level, the JPAC staff makes recommendations to the commander for a decision. JPAC's policy is to prevent the loss of life while searching for remains.

(3) Several factors play into the DPRK mission starting with the remote locations and the poor medical capabilities in country. For these reasons, a US medical doctor has accompanied the team for treatment at the site. There were many restrictions placed on the mission by requirements for DPRK military to accompany all aspects of the mission and escort personnel during a medical emergency. The MEDEVAC plan was limited by the DPRK restrictions of not flying close to the DMZ border with ROK. This required an injured patient to flown by DPRK military helicopter to the airfield at Pyongyang for transfer to ambulance. The patient would then be driven to Panmunjom for an ambulance transfer to a ROK or US ambulance. Depending on the severity of the injuries, the patient would be driven or flown via helicopter to the 121st General Hospital (MTF) in Seoul, ROK.

(4) Due to past restrictions on flying near the DMZ by the DPRK government, there were no cross border flight agreements in place and a MEDEVAC would take place as described above.

Dr. SNYDER. Should DPMO and JPAC be given flexibility to shift the number of missions they allocate to a given country based on the rate of remains recovered per team?

Admiral CRISP. Allocating missions to a given country based on the rate of remains recovered per team constrains the personnel accounting community to focus primarily on World War II, where aircraft employing many crewmembers were used extensively. Most Korean War losses were ground losses, and the majority of the remaining Vietnam War losses were either single- or dual-seat aircraft. The majority of Cold War losses were also multi-crew aircraft losses. A shift toward "rate of remains recovered per team" would focus recovery operations on World War II and potentially Cold War losses dropping the priority for Korean War and Vietnam War accounting operations. JPAC uses the following established criteria in the conduct of remains recovery:

- Last Known Alive case (Southeast Asia only)
- Site with remains recovered/received
- Site in jeopardy of imminent disturbance or destruction
- "Open" excavation sites
- Correlated/associated site to a known loss incident and evidence suggesting the presence of remains
- Sites that do not meet the above criteria; (i.e. uncorrelated sites, ground losses, witness only statements with no supporting physical evidence)
- Resolved incidents in which local villagers' recovered additional remains

The above criteria provides JPAC sufficient flexibility to plan, prioritize, and conduct field operations. They also allow JPAC to consider several other factors such as political and environmental challenges to ensure the right priority is placed on each case.

Dr. SNYDER. There is anecdotal evidence that North Korea regularly disturbs or even falsifies sets of remains that they lead JPAC teams to. Should DPMO and JPAC be given flexibility to cancel missions to North Korea when they become particularly uncooperative?

Admiral CRISP. Host nations provide for the safety and security of US teams; our operations cannot be accomplished without their cooperation with investigation and recovery missions. As the operational commander, the Commander US Pacific Command has given me the authority to immediately cease operations in any country should the need arise.

Dr. SNYDER. There is anecdotal evidence that North Korea regularly uses funding we grant them to pay for the administration and personnel costs of researching and recovering remains in unintended ways, like building barracks. Are there any auditing controls to prevent these abuses? Does DPMO or JPAC need additional authorities or greater flexibility in regulations to negotiate with North Korea to prevent these abuses?

Admiral CRISP. DPMO negotiates with foreign governments for access and JPAC then negotiates agreement on appropriate reimbursement for services rendered to the US in the conduct of the personnel accounting work. In every instance, we seek to provide fair and reasonable compensation based on our collective experiences and lessons learned over the past two decades. It is up to the host nation to disburse the funds provided by the US to relevant agencies and companies, according to their internal procedures and law. If additional authorities or flexibilities are required in any nation, JPAC will consult with the US Pacific Command and coordinate with DPMO.

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