

[H.A.S.C. No. 111-40]

**IMPROVING RECOVERY AND FULL  
ACCOUNTING OF POW/MIA PERSONNEL  
FROM ALL PAST CONFLICTS**

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HEARING

BEFORE THE

MILITARY PERSONNEL SUBCOMMITTEE

OF THE

COMMITTEE ON ARMED SERVICES  
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

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HEARING HELD

APRIL 2, 2009



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## **IMPROVING RECOVERY AND FULL ACCOUNTING OF POW/MIA PERSONNEL FROM ALL PAST CONFLICTS**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
MILITARY PERSONNEL SUBCOMMITTEE,  
*Washington, DC, Thursday, April 2, 2009.*

The subcommittee met, pursuant to call, at 2:04 p.m., in room 2212, Rayburn House Office Building, Hon. Susan 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, everybody. Thank you so much for being here. The meeting will come to order.

This hearing I certainly want to thank our witnesses for coming today. We appreciate your being with us.

Our hearing today focuses on improving recovery and full accounting of the Prisoner of War (POW)/Missing in Action (MIA) personnel from all past conflicts, which this committee, as you well know, has been tasked with overseeing.

The subcommittee held an oversight hearing on the status of POW/MIA activities on July 10th, 2008. It was the first hearing the subcommittee held since October 1998, over 10 years ago.

As I stated during the July hearing, while the subcommittee did not hold hearings in the intervening years, it has certainly not forgotten its oversight responsibility, nor has it been sitting idly by on this issue.

Over the past several years, this committee has passed legislation focusing on ensuring the POW/MIA effort remains a national priority and continues to receive sufficient funding to accomplish the mission.

The subcommittee remains dedicated to the full accounting of all American prisoners of war 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.

Today we will hear testimony and discuss ways to improve the recovery and full accounting of those missing and bring them home to their families expeditiously as possible.

We have two panels of witnesses for our hearing. And the first panel is comprised of members from a variety of organizations which all have a passionate interest in identifying and recovering our missing. All of the organizations have a wealth of knowledge. We really appreciate that. We know how long you have been working on these issues and how important and passionate you are

about them. So we know your wealth of knowledge and the experience that you have in matters of POW/MIA recovery, and we are very happy that you could be here to provide us with your thoughts and your ideas on how to improve the process.

So let me welcome here today—and let me just say before I introduce you that it looks like we are going to have a vote coming up shortly. But we think we probably can hear from—well, if we can, if you are all to three minutes, we might be able to get through all of you, and we are going to do our best.

Let me welcome Mr. Michael Wysong, director of national security and foreign affairs, Veterans of Foreign Wars (VFW). And Mr. Phil Riley will be on his way shortly. He is the director of national security and foreign relations of the American Legion; Ms. Ann Mills Griffiths, the executive director of the National League of Families of American Prisoners and Missing in Southeast Asia; Ms. Lisa Phillips, president of World War II Families for the Return of the Missing; Ms. Lynn O'Shea, director of research for the National Alliance of Families; Mr. Frank Metersky, the Washington liaison for the Korea-Cold War Families of the Missing; Ms. Robin Piacine, president of the Coalition of Families of Korean and Cold War POW/MIAs; and Mr. Ron Broward, a POW/MIA Advocate.

Our second panel—and we were very pleased to have them participate also in July—will be the Honorable Charles Ray, Deputy Assistant Secretary of Defense (DASD) for POW/Missing Personnel Affairs, and Rear Admiral Donna Crisp, Commander, Joint POW/MIA for the Accounting Command (JPAC).

I want to welcome you all. And, again, if you can give us your testimony in three minutes—do you all have that information that we were hoping that you could do that?

That is great. And we always make it a habit to come back and make sure that you have had a chance to say something that is really critical and important to you at the end.

And Mr. Wilson, do you have any comments to add? And as you know, we are trying to rush through them a little bit—

[The prepared statement of Mrs. Davis can be found in the Appendix on page 45.]

**STATEMENT OF HON. JOE WILSON, A REPRESENTATIVE FROM SOUTH CAROLINA, RANKING MEMBER, MILITARY PERSONNEL SUBCOMMITTEE**

Mr. WILSON. Thank you, Chairwoman Davis. And, indeed, I appreciate your efforts that nobody is going to be cut short.

Chairwoman Davis has been terrific about providing for time. And we will be back.

I want to begin by thanking the distinguished members of our two panels. We look forward to hearing your testimony and working with you to fulfill our commitment to our American heroes who are missing in action or prisoners of war.

At the outset, I want to highlight some of the strategic themes outlined in the recent Personnel Accounting Community Strategy set out by the Defense Prisoner of War/Missing Personnel Office (DPMO). The first theme is also a national priority. We as a government seek the fullest possible accounting of those Americans who become missing while supporting U.S. national objectives.

The second theme is that we, both the executive and legislative branches, serve the interest of the missing individual. As a 31-year Army veteran, as the son of a World War II veteran, as the father of four sons currently serving in the military, I especially believe that every man and woman whom we send in harm's way in the service of the United States must be confident that our government will not leave them behind.

When I look at what has been accomplished over the last three decades, I believe that America has met the mandates of those two themes for the 1,559 prisoners of war and missing personnel in action who have been identified from Vietnam, Korea, the Cold War and World War II.

However, we have neither fulfilled the requirements for the fullest possible accounting nor made good on the requirement to serve the interest of the missing individual for more than 84,000 people who remain unaccounted for from the four conflicts I have cited above.

Under current policies, organization and structure, manning, and funding personnel accounting agencies, the Department of Defense (DOD) have made on average since 2000, 76 identifications per year. That number of annual identifications is not consistent with a national priority of achieving the fullest possible accounting.

Furthermore, if we do not do something to significantly increase the numbers of annual identifications—say, for example, by a factor of three, four or five—this will soon preclude the Nation's ability to fully account for those 84,000 still missing or prisoners of war. We must do more as a Nation to better serve those who have gone in harm's way with the implicit commitment by our government that we would not leave them behind.

Before we close, I want to give a special recognition to a witness on the second panel, Ambassador Charles Ray, Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs. Ambassador Ray has served in this current capacity since September 2006, and will be returning to his duties at the State Department. This will be the last time he appears before this subcommittee. I want to extend my thanks for his service to this Nation and for the contributions he has made to the effort of fully accounting for our POWs and missing personnel.

Madam Chairwoman, I am pleased that you are holding this hearing in an effort to seek ideas on how to improve the personnel accounting process. I join you in welcoming our witnesses and look forward to their testimony.

[The prepared statement of Mr. Wilson can be found in the Appendix on page 47.]

Mrs. DAVIS. Thank you very much.

And Mr. Wysong, why don't you start? Thank you.

**STATEMENT OF MICHAEL H. WYSONG, DIRECTOR OF NATIONAL SECURITY AND FOREIGN AFFAIRS, VETERANS OF FOREIGN WARS**

Mr. WYSONG. Thank you, Madam Chair.

On behalf of the 2.2 million members of the Veterans of Foreign Wars, I want to thank you for the opportunity to share our views on this most important issue. The VFW has long been committed

to achieving the fullest possible accounting for all military personnel still missing from all of our Nation's wars.

It has come to our attention once again that JPAC has been shortchanged in their budget by over \$2 million, which will translate into curtailing operations. This points to a funding stream that flows from DOD through the Navy and then from U.S. Pacific Command (PACOM) to JPAC, which puts JPAC's mission in competition with war fighting priorities. And when agencies are called upon to cut their budget and that figure trickles down to JPAC, it equates to a disproportional mandate for a command with a relatively small budget.

The VFW is not convinced that this is the best funding method for JPAC. Therefore, we suggest a fully funded dedicated line item appropriation in the DOD budget and exempt JPAC from agency-mandated reductions. JPAC's mission is unique, and in our view, will be able to operate more efficiently and effectively under a direct and dedicated funding stream.

Construction of a new JPAC facility, which was originally set to begin in fiscal year (FY) 2010, has been delayed until fiscal year 2011 because the Navy diverted construction monies to other priorities.

It has also come to our attention that a Navy audit team recently recommended reducing the size of the facility by over 16,000 square feet. Such a reduction mostly likely will reduce laboratory space and have an adverse effect on identification efforts.

The VFW believes this project should continue to be fully funded and remain on the present ground breaking schedule without any further delays and recommends the size of the new facility remain as originally designed.

The Armed Forces DNA Identification Laboratory in Rockville, Md., is essential, as we all know, to the JPAC mission. We are concerned that the Base Realignment and Closure (BRAC) process threatens to significantly delay the identification process because critical and timely decisions concerning facility and funding issues have yet to be made for the relocation move to Dover Air Force Base, Delaware.

The VFW asks Congress to look into this matter and extract from DOD how this process is moving forward in a manner that will provide adequate facilities and minimize the delay in DNA analysis for identification of American remains.

The U.S.-Russia Joint Commission on POW/MIA Affairs was established in 1992 at the presidential level to serve as a forum through which both nations can seek to determine the fate of their missing servicemen. In 2005, progress was halted when the Russian president reorganized its side of the commission. On the U.S. side, leaving the House Democrat Commissioner post vacant since January 2006 sends a message to the Russian government that this body is not interested in the workings of the commission. Your help is needed to convince Speaker Pelosi to appoint a qualified member of the House to actively serve as the Democrat Commissioner.

Madam Chair, in closing I want to thank you and all the members of your committee for your interest, your oversight, your support of America's national priority of accounting for our missing

service members. Your continued support will help to bring closure to the families of the missing who have been waiting so long for answers and their loved ones. You also send a very powerful message to those who serve in harm's way today that they will not be left behind, that this Nation will do all in its power to return them to their family. Thank you for the opportunity.

[The prepared statement of Mr. Wysong can be found in the Appendix on page 48.]

Mrs. DAVIS. Thank you very much.

Mr. Riley. And welcome. We introduced you already.

**STATEMENT OF PHILIP D. RILEY, DIRECTOR, NATIONAL SECURITY AND FOREIGN RELATIONS, THE AMERICAN LEGION**

Mr. RILEY. Thank you very much.

Mrs. DAVIS. Thank you.

Mr. RILEY. Chairwoman Davis, members of the subcommittee, on behalf of the American Legion we thank you for the honor and the opportunity to participate in this important hearing to examine ways for improving recovery and accounting of POW/MIAs from previous conflicts.

The American Legion believes the following high-priority actions should be taken by the U.S. Government:

Continue to provide sufficient personnel the resources so that the investigative case efforts for conflicts from World War II forward can be broadened and accelerated.

Continue to provide necessary personnel and resources so field operations can be conducted at a greater rate of activity.

Continue to declassify all POW/MIA information (except that revealing intelligence sources and methods) in a form readily available for public view.

Initiate or strengthen joint commissions with Russia, China, North Korea, to increase POW research and recovery opportunities.

Establish a joint standing congressional committee to ensure continued action by the executive branch in addressing the POW/MIA mission with requisite priority.

The American Legion is concerned the POW/MIA mission is fading as a high national priority, and the federal government has not provided sufficient resources or attention to the POW/MIA issues. As a result, many in the veterans community and military family members are losing confidence in both the commitment and the ability of the federal government to resolve the fate of this Nation's many unaccounted for service members.

Along with this establishment of the interagency group created to oversee the U.S. POW/MIA policy, lack of independent intelligence and analytical capability dedicated to the POW/MIA issue, and efforts to downsize and reorganize the Defense Missing Personnel Office when their workload is increasing, particularly with respect to Korean War initiatives and the opportunities that are now extant, all of these are clear examples of how the importance of this issue is eroding.

The establishment of a joint standing committee is necessary to keep the promise to all past, current and future service members and families so that they will not feel that they are abandoned and

necessary to rekindle national interest and national will for this morally imperative mission.

It has been over a decade since we have had close and comprehensive examination of our national POW/MIA policies and recovery requirements. The 2.6 million members of the American Legion urge you to establish a joint standing committee on POW and MIA affairs necessary to conduct a full and convincing investigation of all unresolved matters relating to any United States personnel unaccounted for from our conflicts, wars, cold wars and special operations.

We thank you for this honor to testify.

[The prepared statement of Mr. Riley can be found in the Appendix on page 58.]

Mrs. DAVIS. Thank you very much.

Ms. Griffiths.

**STATEMENT OF ANN MILLS GRIFFITHS, EXECUTIVE DIRECTOR, NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA**

Ms. GRIFFITHS. Thank you Madam Chairwoman and members of the committee for the opportunity to again appear before the committee. Due to the need for brevity, I will ask that my full statement be included.

I just returned late yesterday from Vietnam, Laos and Cambodia on the umpteenth trip that I have been there. I am writing a final report on that and would like to also include that in the record.

Mrs. DAVIS. Thank you. All the testimony will be included in the record.

[The information referred to can be found in the Appendix on page 191.]

Ms. GRIFFITHS. Okay.

The proposals that were made in Hanoi were particularly interesting, and they, I think, warrant serious consideration as the basis for increasing JPAC funding and personnel, full engagement and support for Stony Beach, the Defense Intelligence Agency's POW/MIA specialists, and, if needed to ensure continuing priority and focus, fencing of the budgets and manpower of both organizations. We will be bringing these proposals to the attention of the executive branch at the earliest opportunity.

The first stems from Vietnam's proposal to expedite the pace and scope of investigations and excavations, stating clear but ambiguously their commitment to meet U.S. requirements for additional personnel and willingness to be flexible. Their rationale had to do with growth and expansion, development that could easily destroy incident sites.

Early identification of these and other sites is crucial regardless of JPAC's ability to schedule rapid excavations. Increasing the backlog on these sites is a good thing, not a negative as sometimes portrayed.

When questioned about specific numbers that will be allowed to come in, they responded again clearly, but noted that with additional commitment of personnel and funding they would match the U.S. and with flexibility.

Now, all senior U.S. officials—the Ambassador, the defense attaché, the deputy chief of mission and others were with us in all of our meetings and were most supportive. We don't have our own information to propose to the Vietnamese, so we get it all from the Defense POW/MIA Office and JPAC.

As to the validity of their commitment, I try to be optimistic. But time will tell, especially on the use of the U.S. Naval Ship (USNS) *Heezen*, the Navy vessel that was promised a long time ago and pledged again by the Prime Minister last June.

In Laos, changes at the top in attitude and receptiveness to multifaceted engagement and cooperation were visible and welcome. The evolving relationship, including long-sought establishment and exchange of defense attachés, is very good for the U.S.-Laos bilateral relationship and POW/MIA in particular, something we fought for for 12 years, they finally agreed and it is now in place.

A small increase in airlift funding in the case of Laos would expedite the effort as well. I am not in a position to suggest a number of additional personnel that would be required. I do know, in agreement with these gentlemen, that JPAC funding is inadequate for the fiscal year 2009 budget. And that doesn't even include operations for North Korea if that happens to open up.

So an increase of at least one-third or 20-plus million would likely be needed with a plus-up of forensics anthropologists and other scientific staff as necessary. We would also need more linguists and specialists from Defense Intelligence Agency's Stony Beach team to expedite in-country research and investigations. You will be hearing from Ambassador Ray and Admiral Crisp, so they will have to consider this. But it is too soon to expect them to have an answer now.

Our positions—I know I have to stop—our positions on all the questions are in the full testimony that I provided. But I would like to say that having Admiral Crisp as head of JPAC has been a blessing. It has helped tremendously improve the quality and the situation for their own employees as well as operations. That and having Special Forces detachment commanders have been real improvements.

[The prepared statement of Ms. Griffiths can be found in the Appendix on page 68.]

Mrs. DAVIS. Thank you very much.

Ms. Phillips.

**STATEMENT OF LISA PHILLIPS, PRESIDENT, WWII FAMILIES  
FOR THE RETURN OF THE MISSING**

Ms. PHILLIPS. Madam Chairman and members of the committee, on behalf of the friends and family of over 78,000 World War II service personnel still missing in action, I thank you for this opportunity to speak today.

With my deepest sincerity, I want to tell you that I really wish I wasn't here. Not that I wish I had not lost a relative in World War II, for we are proud of his service, nor does my wish to not be here stem from the fact that my uncle is one of the MIA from World War II.

My wish comes from the fact that family groups such as WWII Families for the Return of the Missing should not have to exist today. All relatives and friends of all U.S. MIA should be confident that their government is working in an objective, fair and determined manner to ensure the code of “no one left behind” is being adhered to with the utmost urgency and dedication. I thank you for trying to make this so.

As a relative of a WWII MIA and a member of a family support group that has over the past seven years worked with thousands of MIA family members and every U.S. Government agency involved, I kindly request that you consider the following four points.

First, the three government organizations primarily responsible for the POW/MIA recovery—Defense Prisoner of War (DPMO), Joint POW/MIA Accounting Command (JPAC), and military service casualty offices—are disjointed and do not effectively cooperate, often at times working against each other due to the lack of unity of one command, turf wars and personality differences as well.

While DPMO states they are the portal for all family members, they do not have control over the individual records. Service Casualty controls the records. Nor do they have control over research and recovery. JPAC is in charge of the missions.

A family member should not have to contact all three agencies individually just to receive a status on their case or to require records to conduct individual research.

Secondly, the entire process of MIA recovery is politicized by personnel within the U.S. Government overseeing the research and recovery efforts as well as individuals belonging to certain groups. These alliances are well known in the MIA community but so far have effectively impeded all efforts to improve efficiency or equity.

Third, lack of congressional oversight enables this inefficiency and politicization. The system is unable to correct itself. There are too many people too ingrained to allow effective and needed change.

Fourth, JPAC’s manning and structure is inefficient. With an intelligence and research section of about 66 personnel, only five are assigned to World War II, one of which just resigned. Likewise, hundreds and hundreds of MIAs remains go unidentified in the lab due to the shortage of forensic anthropologists.

Not only is retention a problem in a place such as Hawaii, but there appears to be a problem with priority of efforts. Forensic anthropologists are forced to split their time between field recoveries and lab identifications.

Every U.S. service member past and present lives by the code “no one left behind.” This code is much more than a code. It is a promise and an obligation from our government to those that paid the ultimate price. We owe it to every service member and every family member regardless of conflict to uphold this code.

I ask you to please remember this code, this promise, this obligation, has no expiration date.

Thank you.

[The prepared statement of Ms. Phillips can be found in the Appendix on page 75.]

Mrs. DAVIS. Thank you very much.

Ms. O’Shea.

And I think we can do this, if everybody is okay. We are going to run a little late getting over there.  
But go ahead, please. Thank you.

**STATEMENT OF LYNN O'SHEA, DIRECTOR OF RESEARCH,  
NATIONAL ALLIANCE OF FAMILIES**

Ms. O'SHEA. Okay.

Today we would like to address a specific aspect of the accounting effort. In far too many cases, safe determinations have been made in spite of evidence of wartime survival. These premature and often erroneous determinations were reached by dismissing evidence once deemed credible, resulting in searches for individuals at their loss locations in spite of evidence that the individuals were moved or being moved to another location.

As part of the accounting effort, the National Alliance of Families fully supports House Resolution 111 calling for the formation of a House Select Committee on POW/MIA Affairs. And I would like to add we would definitely support the call for a joint standing committee.

When the Senate Select Committee on POW/MIA Affairs issued their final report in 1993, they recommended their work continue. Unfortunately, that recommendation was not carried out, and committees such as this simply do not have the investigative staff or the resources to continue and expand on the work of the committee.

Among the leads yet to be fully examined are numerous sightings of U.S. servicemen from World War II, Korea, and Cold War in the camps and prisons of the former Soviet Union. No less a figure than the commanding general of Soviet forces operating on the Korean peninsula during the war years spoke of the transfer of U.S. POWs from North Korea to Moscow. Acknowledging such transfers have come from former U.S. and Soviet officials and defectors as well.

All of this suggests that much more effort needs to be made before we can truly say we have accounted for our missing servicemen. We recognize the difficulties dealing with North Korea. However, a thorough review of contemporaneous U.S. documents relating to Korean and Cold War losses under the direction of a House committee will provide valuable information and new leads on the fate of many unaccounted-for servicemen.

Searching for men at loss locations when contemporaneous documents indicate the men were captured will not lead to recovery. When these recovery operations fail, as they will, remains are then declared unrecoverable.

This is not accounting. It is fiction. For example, in one Vietnam case involving four soldiers, DPMO maintains that the four were ambushed and killed. They cite a report of 20-30 rounds of small arms fire heard in area to support their conclusions.

The facts do not support the DPMO analytical review. Multiple documents including letters from the U.S. Army to the families of the missing men all state the gunshots heard involved another squad and did not relate to this incident.

This brings us to a series of memos written by Sedgwick Tourison, a former Senate analyst with the Defense Intelligence

Agency (DIA), during his tenure as an investigator with the Senate select committee. In one memo dated August 1st, 1992, Tourison wrote: My review of POW/MIA case files discloses Joint Task Force-Full Accounting (JTFFA) and DIA message traffic referring to individuals DOD now has information survived into captivity. Among the servicemen named are the four soldiers DPMO insists were ambushed and immediately killed.

An earlier memo by Tourison states: My review of Joint Casualty Resolution Center (JCRC) casualty files has surfaced several messages which list a total of nine American servicemen Vietnam has acknowledged were captured alive. Named among the nine is Marine Corporal Gregory Harris, whose family is here today.

I know I am a little bit over. I've just got a little bit left. Can I go on?

Mrs. DAVIS. Very fast. I think what we will do is we will go vote right after you finish and come back.

Can you be very, very succinct, because I know that we asked everybody to be?

Ms. O'SHEA. I will wrap it up, yes.

As I said, Corporal Harris's family is here today. Yet DPMO insists in spite of the message that Vietnam acknowledged his capture, DPMO insists Corporal Harris died at his loss location, and that is where they continue to look for him.

It is time that we have an honest accounting of these men. We have to review all the documents in the files. When we know that men are still not at their loss locations, we have to accept that and move on to new avenues of pursuit.

Thank you.

[The prepared statement of Ms. O'Shea can be found in the Appendix on page 80.]

Mrs. DAVIS. Thank you very much.

We are going to go vote. We will be back. I really appreciate your patience.

Okay. We should be back early. It won't be too much longer. Thank you very much.

[Recess.]

Mrs. DAVIS. Thank you all for your patience. We are going to get started if everybody would just quiet down. Thank you.

Mr. Metersky, please go ahead.

**STATEMENT OF FRANK METERSKY, WASHINGTON LIAISON,  
KOREA-COLD WAR FAMILIES OF THE MISSING**

Mr. METERSKY. On behalf of the Korea-Cold War Families of the Missing, I want to thank you for giving us this opportunity to testify here today.

The Korea-Cold War Families of the Missing fully supports any and all of the changes recommended by the current DASD of DPMO, Ambassador Charles Ray, that would dramatically alter the structure of the POW/MIA community and thereby increase its capabilities to identify 180 sets of remains annually for all wars combined. This would represent an increase in identifications of 150 percent per year.

The DASD recommends that the lab be moved to the mainland because of the serious ongoing short staffing problems that the lab has never been able to overcome located in Hawaii.

A study requested by Office of the Secretary of Defense (OSD)–DPMO to address the moving of the JPAC Lab is currently being conducted by the Institute for Defense Analysis, and its results will be available in the next 45 days. The move to the mainland will allow the JPAC lab to acquire a level of professionalism that it has greatly lacked for years, which is necessary to reach the DASD’s goal of 180 identifications annually for all wars.

To complement this effort, the DASD has written a new policy paper that redefines the strategy of how to make the best use of all of the government’s assets used in the recovery and identification of remains. This policy paper is currently available on the DPMO website.

There is also a DPMO paper which should be available shortly, detailing by percentages how the assets of DPMO–JPAC should be used based on today’s realities for each of the past conflicts.

To assure that the goal of 180 identifications take place, we recommend that JPAC be removed from the oversight command of PACOM and that oversight be returned to Army Casualty.

PACOM, a war fighting command, has shown little to no interest in performance levels at JPAC. It has appointed incompetent military commanders and allows equally incompetent civilian commanders to run JPAC.

We further recommend that the current and future DASD at DPMO be placed in unqualified command of the entire U.S. Government commitment to this highest of humanitarian missions: the fullest possible accounting of all POWs from all wars, past, present and future. DPMO is fully capable of overseeing all aspects of this mission, since it is its only mission.

If these changes are implemented, the Korean War families will finally have what they have long been lacking:

An identification team working full time on the 853 unknowns buried at the Punch Bowl Cemetery in Hawaii, where with recent advances in scientific identification, it has been determined that as many as 400 of these unknowns could be identified.

A forensic team working full time on the 540 sets of remains from the Korean War that have been warehoused at JPAC mostly since 1993.

A full time investigative and recovery team working in South Korea instead of the limited number of operations we have now due to the serious lack of qualified personnel at JPAC. This team should also be there to work with the South Korean version of JPAC, known as Republic of Korea’s Ministry of National Defense Agency for KIA Recovery and Identification (MAKRI), to ensure that no U.S. remains recovered are accidentally disposed of as they have been in the past.

A fully staffed JPAC will allow recovery operations to be conducted in North Korea and also in South Korea, not as in the past an either/or situation. Currently, JPAC defines this as an either/or situation as they continue to cover up its serious lack of personnel with a meaningless study of their own.

I have also—

Mrs. DAVIS. Thank you.

Mr. METERSKY [continuing]. Been asked to make a statement—

Mrs. DAVIS. One last statement.

Mr. METERSKY [continuing]. By Irene Mandra, president of the Korea-Cold War Families of the Missing, regarding a meeting with Admiral Crisp on April 4, 2008, in her offices in Hawaii, accompanied by four members of our organization, with Johnnie Webb, the senior civilian of JPAC was in attendance.

The most important issue to discuss was the moving of the JPAC lab to the mainland that the admiral was aware of. When this issue was raised, she immediately said she was doing this study, while in actuality four months later it was found that she was not doing the study.

To date, the admiral—

Mrs. DAVIS. Thank you. Mr. Metersky, I am going to—

Mr. METERSKY [continuing]. Admiral has never explained or apologized for this. And is this any way to run a business?

[The prepared statement of Mr. Metersky can be found in the Appendix on page 121.]

Mrs. DAVIS. Thank you very much. I appreciate that, and of course your whole statement is in the record.

Ms. Piacine.

**STATEMENT OF ROBIN PIACINE, PRESIDENT, COALITION OF FAMILIES OF KOREAN AND COLD WAR POW/MIAS**

Ms. PIACINE. Chairwoman Davis and distinguished members of the House Armed Services Subcommittee for Military Personnel, thank you so much for having this hearing today and affording me the opportunity to be the voice of many family members my organization represents.

We, who are family members and friends and comrades, all share one thing in common, that is we wait for the day that we can bring our missing loved ones home. We want to understand what has truly happened to them. These unanswered questions haunt us. Birthdays, anniversaries, special days all are lived with emptiness and questions of what truly happened to the ones we love and miss.

With me today, I bring a picture of my uncle, William Charles Bradley. He served with the Army during Korean War, and he was a medic. He was first listed as killed in action (KIA) on December 1st in the area of Kunu-ri, in Unsan County in North Korea. Through years of research by the analysts at DPMO and with the help of my dear friend and colleague John Zimmerlee, my family learned that he was actually a POW and died on a march route towards a holding camp.

Now, we can ask when negotiations resume in North Korea that this specific area be researched. It is so important to truly know what happens to our missing so that we can move forward. His remains are still in North Korea waiting to be returned home. Like many, he is homesick in Korea.

Having served as president of the Coalition of Families for over five years, I have received a lot of suggestions of what can be accomplished to make the process work a little better.

We strongly support and endorse plans to construct a new facility for the accounting process in Hawaii by JPAC. We believe that

this will facilitate a reduction in the time of identification and thus speed the return of remains and much awaited information to the families.

On a related point, we do not support relocation of this activity to continental United States (CONUS). The current location is ideal, being in the proximity where the majority of recoveries actually take place. A move would also hamper that very important international partnership with the South Korean Forensic Team which benefits our recovery process. Additionally, the cost of such a move in these times of financial strife makes no sense at all from the view of the concerned taxpayer.

There is a critical need also to have access to files that still are held as classified for over 50 years in the National Archives and Records Administration (NARA) at College Park. A press release dated March 11, 2009, notes that President Obama has approved a \$459 million budget for the National Archives.

One million of those dollars has been allocated solely for the development of a new Office of Government Information Services created by a 2007 amendment to the Freedom of Information Act. It will monitor compliance of federal agencies, and ensure that the records of government remain open and accessible to the public.

We ask that you also support House Resolution 111, as we believe that it will aid in the much needed assistance in the accounting process.

[The prepared statement of Ms. Piacine can be found in the Appendix on page 126.]

Mrs. DAVIS. Ms. Piacine, your time is up. I think that we will have an opportunity to get back to some of your other issues. Thank you very much.

And Mr. Broward, please proceed.

#### **STATEMENT OF RON BROWARD, POW/MIA ADVOCATE**

Mr. BROWARD. Well, Madam Chairwoman and members of the committee, thank you for the opportunity to speak with you.

Turf wars, bureaucratic sabotage and unethical behavior on part of a few continue to exist in the POW/MIA mission. To have a complete account of what the mission needs would require department managers of JPAC to testify under oath before your committee. They know the problems that exist and have excellent ideas to correct those problems.

For several years we have advocated for a strong central authority to manage the agencies involved in the U.S. Government POW/MIA program. Ambassador Ray has worked very hard to make the mission more effective. The merging of joint task force for all accounting and the central identification lab in 2003 was a good move. But it has led to some unanticipated consequences that need remediation.

Please refer to a DPMO draft report in response to the Senate Armed Services Committee Report 109-254. This DPMO draft report was completely ignored by JPAC and PACOM when the final report was drafted and sent by DOD to the Senate Armed Services Committee. Both of these reports are attached to my statement.

These two documents tell the problems that exist within the current structure. In fairness to Admiral Crisp, she was not the JPAC

commander in 2007 when the final report was sent to the Senate Armed Services Committee. The draft DPMO report in just four pages addresses the problems that exist and ways DPMO was considering to correct those problems.

Since 2004, there have been 364 identifications or 73 per year. This means it takes seven staff members working full time for one year to make one identification. During this time, 65 percent of recoveries and identifications were from World War II and Korea. Yet 75–80 percent of resources were devoted to Southeast Asia.

In the Central Identification Lab (CIL), there are 1,433 unknown remains. For several years, we advocated for a more effective outreach program for obtaining family reference samples—that is mitochondrial deoxyribonucleic acid (DNA). The Defense Science Board Report of 1995 recommended an aggressive outreach program which could be used today. But this report has not been accepted.

Finally, in June 2008 I went to the Joint Chiefs of Staff for help. The Joint Chiefs of Staff directed that a plan be developed. But as of this date, nine months later, no plan has been developed either by the Service Casualty Offices or DPMO.

In 2003, we presented a plan to JPAC for the possibility of associating MIAs to unknowns interred in Punchbowl. In 2004, Dr. Holland, the CIL director, saw merit in the plan and hired a forensic anthropologist in early 2005 to work on the plan. A historian was to be hired, but there were no funds to do so. Since that time, there have been seven exhumations, six have been identified, and one is pending DNA processing.

Mrs. DAVIS. Could you wind up your statement? That would be helpful. Thank you.

Mr. BROWARD. Yes.

Twenty-five additional possible associations of MIAs to unknowns in the Punchbowl have passed the preliminary dental screening. This is research that I do. Yet, there has only been two exhumations in the last two years. And it is not the part of the laboratory. It is critical shortage of forensic anthropologists and professional historians.

[The prepared statement of Mr. Broward can be found in the Appendix on page 140.]

Mrs. DAVIS. Okay.

Thank you very much. I certainly appreciate all of your testimony here and your statements. I know it represents tremendous background on your parts, and it is very difficult to condense that in a few minutes. But as you can tell by the size of the panel, I think we are going to have an opportunity to get to some of the issues that are important to you.

But more than that, we really want to try and think about where we go from here. And that is going to be the focus, I think, of a lot of our questions.

I want to just ask that we all welcome and ask unanimous consent that Ms. Kilroy be allowed to participate in the hearing today.

I am hearing no opposition.

And also unanimous consent that the statements of Mr. Hall, Mr. Phillips, Mr. Tenney and Mr. Jones also be submitted to the record.

[The information referred to can be found in the Appendix beginning on page 197.]

Mrs. DAVIS. Thank you.

Many of you have touched on the organizational structure of the POW community and the problems that you see with that. Some of you have stated the problems. Others have additional concerns about the ability to move through and work as efficiently as possible under that structure.

If you could, if you could talk to us a little bit about what you see as bringing the POW/MIA community under one formal structure instead of the current structure that we have, with several entities that play a role in this but don't necessarily have the ability to do the work that you see that is required.

What are some of those issues? What do you see as some of the downsides as well to that kind of restructuring?

Ms. GRIFFITHS. Well, I think it would be the worst possible time to consolidate this all in Washington, DC, under the Defense POW/MIA Office. First of all, it is a too low level.

But secondly, the—I have never, in all my 30 years as executive director, and umpteen trips to the field with the operators who are conducting the missions there—I have never yet seen as high an operational professionalism supported by tremendous assets and resources. Not enough. And that is exactly the wrong thing to do is to have a political based organization that is supposed to be policy guidance and oversight handling operations that Admiral Keating, the current PACOM commander, has been very supportive of in all his testimony to the House and to the Senate.

And, yes, there are budget problems with that. And that is the reason that I was suggesting at least the one-third-plus up in JPAC's budget, but to ensure that increasing anything in Southeast Asia in no way jeopardizes anything on World War II, Korea War, Cold War. We need to increase, not have one set of circumstances in competition with another, but under no circumstances bringing operations into Washington, DC, to cost more and charge more in terms of bureaucracy.

Mrs. DAVIS. Let me see if anybody else wants to respond to that. I think there are differences.

Mr. Metersky.

Mr. METERSKY. Yes, and serious differences.

Obviously, I wouldn't have any problems if 75–80 percent of the assets were being directed in my, you know, in what I advocate. Then I wouldn't—you know, it would be great.

But the problem is, no matter how much money you throw at JPAC, how many buildings you put up, they do not have the table of organization that they are supposed to have. And to that end, they have never provided anyone, and when it was requested, that table of organization, show you what their level of personnel is.

They cannot—when I mentioned in my statement, they can't do the job because they don't have the personnel. I don't care how much money you want and who you put in command, if you don't have the personnel, it is meaningless.

And structured in Hawaii, it will never do justice to World War II, Korea, Cold War. Yes, there is a narrow political and personal

agenda, which is directed in one area. And that is what has just been testified to.

But if you don't make those structural changes, and in command—Admiral Keating didn't even know who Johnnie Webb was, who is supposed to be the senior civilian commander at JPAC. And if someone in this panel can testify to that.

Mrs. DAVIS. I can tell we are not going to have a—no, I understand that there are real differences coming out of your experiences.

Would anybody else like to weigh in? And any thoughts—I mean, how do you see really resolving—

Ms. GRIFFITHS. Well, I think it is important to understand it all started with the Vietnam War. If it wasn't for the Vietnam War, we wouldn't have the organization, the personnel and the assets and resources devoted that are today.

They have not been plussed up in personnel and funding to the extent that they are expected and should pursue answers on the other wars. Frank is absolutely right: There are inadequate numbers of personnel and funding for the expanded mission.

If Congress and the American people are going to expect more from Joint POW/MIA Accounting Command and its lab, the first thing they need to do is plus up personnel and plus up funding. And right in my little abbreviated statement we talked about forensics anthropologists. We can't do any of it—field or lab—without increasing that element.

Mrs. DAVIS. Yes, I wanted to—

Mr. METERSKY. There is one—

Mrs. DAVIS. Mr. Met—

Mr. METERSKY. There is one serious deficiency in that argument. You are not going to get the people working in Hawaii. They have been leaving Hawaii on a consistent basis.

So why would you want to fund up something in a location that will never be fully staffed with professional personnel—

Mrs. DAVIS. Thank you, Mr.—

Mr. METERSKY [continuing]. To properly do the job?

Mrs. DAVIS. I want to make sure I turn to anybody else who would like to comment on this issue.

Yes, Ms. Piacine.

Ms. PIACINE. I think what is important here is the focus on how, again, we can make this a better situation and really do what is necessary for the accounting effort.

I think that we really need to also look at the most current progress that JPAC has made. My understanding is not that they are losing anthropologists right and left. I think currently they set up a college there and are actually retaining people.

So I think, whenever the JPAC folks come in, I think that those questions need to be asked.

Mrs. DAVIS. Thank you.

Yes, Mr. Broward.

Mr. BROWARD. On the same—

Mrs. DAVIS. And I know my time is up. But if everybody doesn't mind if we could try and hear from everybody, that would be great.

Mr. Broward.

Mr. BROWARD. Yes, thanks.

When we first went to JPAC about 8 years ago, they had 36 anthropologists. Today they are down to 19.

We have been going there about 100 days a year doing research. To keep forensic anthropologists there, I don't think is possible because attrition of them coming back to the mainland to be with their colleagues and for better jobs is just going to happen.

The first thing that you asked was how can you make these agencies work with three different commanders? That is virtually impossible. You need somebody in charge. You have a four-star, a two-star and then Ambassador Ray. Ambassador Ray makes policy, but to get JPAC to carry that policy out when there is a four-star in charge, that is virtually impossible, as we observed over the years.

That is what I had to say.

Mrs. DAVIS. Okay. Thank you. I appreciate that.

Let us go on to Mr. Wilson now.

I am sorry, was there anybody who really wanted to weigh in?

Mr. RILEY. I just wanted to weigh in that I think the military can figure things out when they actually do look at what is the mission and what requirements need to be put to it?

But there are problems of turf. And so what I would ask for is that you look at how you do that and have a good study done of it which really will match the resources to the identified requirements and structure it that way. It hasn't been done in ages.

Thank you.

Mr. Wysong.

Mr. WYSONG. We can—the VFW doesn't subscribe to the theory or the position of moving everything to the mainland when over 90 percent of the investigative and recovery operations for all wars are in the Pacific region. That is just one addition to.

And I agree with Ann Mills Griffiths on her statements, also.

Mrs. DAVIS. Great. Thank you very much.

I am going to move on to Mr. Wilson.

Mr. WILSON. Thank you very much.

And thank each of you for your dedication. It is very impressive to me on behalf of our veterans and our persons who haven't returned how dedicated you are.

A question for each of you: You have made several recommendations on how the personnel accounting process should be improved. Going back to my opening statement, I believe we must make changes in the personnel accounting system that will dramatically increase the number of annual identifications by a factor of three to five.

Achieving this goal would mean an annual identification—these annual identifications would go from 76 per year to 230–380 per year. If that significant increase in identifications became one of the goals of the personnel accounting process, what are the two or three most important changes beyond the obvious need for more people and resources to the status quo that you believe would have to be made?

Ms. GRIFFITHS. I think some of the steps that Admiral Crisp has been taking—and someone just alluded to the new JPAC academy that Dr. Bob Mann is leading; it is in Hawaii. And Admiral Crisp has developed several programs for recruiting recent graduates in

forensics anthropology for compensation for education. You will have to ask her all the details.

What I know is that in my many trips to talk with the anthropologists, including the younger generation, new recruited anthropologists, the people out in the field—there were five that we talked to just on this one trip when we went out to the field in Laos—four or five. But they love their jobs, love deploying to the field.

Now, yes, they shouldn't have to deploy as much as they do. And yes, we need more anthropologists and other odontologists, different kinds of scientists to participate in these things. They don't all have to be Ph.D.s.

With this new JPAC academy they are forming including exchanges with a Thai university in Konkan. They are going to be getting constructive credit. They are developing all kinds of imaginative solutions for getting more anthropologists into the program and for advancement within that program to expand their numbers.

So that is all, to me, very positive. And I think that absolutely is crucial to the identification process. In fact, the league supports additional laboratories that would be devoted solely to—and some of those could be in the continental U.S.—adjunct labs to focus strictly on identification of remains, not deployable labs that do all the fieldwork but strictly focus. And that could be in an addendum to the existing laboratory structure. But so long as they are under the Joint POW/MIA Accounting Command so that they don't become politicized or controlled by policy ups and downs in the community but in fact continue to focus on the work at hand.

Mr. BROWARD. The number one thing I believe that can be done is you have to professionalize the staff, be it more professional historians, maybe more forensic anthropologists. The reason that these fellows aren't being worked on, there are items to be done and exhumed, it is because there is not the staff the staff there to do it, either professional historians or anthropologists.

It is a shame. Some of these go back over two years. They have been approved by an odontologist. Let us get them out of the ground. They still sit. And I think that is—that really disservice to the officers missing.

Regarding funding, I don't think you need to increase the funding. You just need to professionalize the staff. There is so many people that work there. They have, I think, 66 analysts. And I really don't know what the analysts do. They are good people. I like them.

But who gets the job done is either a professional historian or forensic anthropologist. That is who the identifications come from. The historians tell you where to go to find remains. Thank you.

Mr. RILEY. I would say one other thing to look at is the diplomatic piece: Who can really influence the countries that we need to influence and make the arrangements and the coordinations? I think we have to look at that piece and look at it hard.

Mr. WILSON. And aside from the obvious problem of dealing with Democratic People's Republic of Korea (DPRK), which other countries do you think we need to work with more closely?

Mr. RILEY. I will defer to Ann on that.

Ms. GRIFFITHS. Well, clearly we need to focus at a higher level as we did in earlier years. I don't know that we even have. I have been gone for two weeks to Asia.

But assistant secretary, that level of intervention on this issue in all the countries, including Russia—North Korea obviously is a problem—but Vietnam, Laos, Cambodia. But it needs to be engagement on a humanitarian basis regardless of all the political and other issues to push for the kind of priority by those governments to give what they can in response.

Because we just learned that the certification decision on Vietnam is being dropped in Congress so that there is no longer a reason that the Administration will have to certify that Vietnam is doing what it can and cooperating as they should to unilaterally provide records. It was in there from 2001 until now. And we understand now it is being dropped.

Mr. METERSKY. Excuse me, a comment about North Korea.

As of yesterday, "North Korea's ready to reengage on the POW/MIA issue. And we didn't shut it down." And North—from the North Korea Ambassador Kim Jong Il, "You shut it down in 2005, your country."

So as far as getting back into North Korea, it is a U.S. decision. And that is, you know, that is a fact. You will never increase recovery of remains and identifications if you do not have the personnel. I don't care how many buildings you put up.

And if you want to find out for yourself that I have been telling this committee for a long time now, go to Hawaii and talk to the personnel on the ground. You will find out that a lot of what you are hearing supposedly being done, quote-unquote, by Admiral Crisp is just a smokescreen.

Nothing positive has ever come out of any of her recommendations. And I will testify under oath to this. And if you go out to Hawaii, you will get the answers you need to make an intelligent decision.

Mrs. DAVIS. Thank you.

I move to Dr. Snyder.

Dr. SNYDER. Thank you.

Mr. Wysong, during the vote I took your written testimony over with me to the floor. And I was intrigued by the comment on something I am not familiar with, the U.S.-Russia Commission. And lo and behold there was the speaker. And she was talking to someone, but her staff person was standing there, and I said, I am going to give you—and I took along your written statement, too, Mr. Riley. You mentioned it also. And I opened the page and said, these folks just testified that there is an unfilled position here.

And the staff member I talked to has been around here for awhile. He said, you know, "we have a list." He received a list of all the statutorily authorized appointments. And he says, this is not on that list. And he is going to look into it. It could be an oversight. But when you think about it, elected officials love to appoint people. I mean, there is no reason for her not to do that. This would be a—I mean, these kinds of things mean something to her.

So anyway, one of her staff members has your written statements, the two of you, in his hand. And so when we get back from the spring recess, we can follow up on that. But he said, and he

seemed to be very familiar with it when he said, these are not—he said, I have seen the list. I have the list of appointments, and this is not on that list. So we will follow up on that.

Mr. WYSONG. Thank you for that quick action, sir.

Dr. SNYDER. Oh, yeah, well, every once in awhile.

I just want to give a, just an open-ended question. But maybe we will start with you, Mr. Broward.

I would like for you, each of you, to tell us how you got involved in these issues, and what do you tell people about why this is still important? I mean, we think it is important. But I suspect you run into people in your, you know, your friends back home who say, “Well, that is a long time ago. Why is this so important?”

I would like to start with you, Mr. Broward, about how you got involved in this and why this should be important to all Americans.

Mr. BROWARD. I got involved when I learned that there was such an organization called Cell-I. After the Korean War, we were told not to talk about MIAs. It might cause problems with Russia.

I was with Marines in both North and South Korea that are missing. Some of them I was raised with. And it has been on my mind for many years. So that is how I got involved, to try to do research and bring some of these—we were all very young at that time—to bring them home. So that is how I got involved.

Ms. PIACINE. Thank you for this opportunity. I got involved in this issue when I, I guess it was around 1999, and my mother and my aunt both donated the mitochondrial DNA (mtDNA) reference sample, because my uncle obviously had not returned from the Korean War. And so I got involved in also the commemoration of the Korean War and went out.

I think that it is very important for all Americans to care and be concerned about all those that are still unaccounted for. For one thing, every day when they get up and they have all these freedoms, they need to remember that those people have given the ultimate sacrifice. They are not back home with their loved ones.

And I would just like to see, not just my uncle, but everybody be able to give all of their loved ones the type of a funeral that they are so deserving of.

And also, we have to also remember that all those people that are out there serving right now and intend to serve in the future that, you know, how can we send them out if we are not doing what we always have promised, not to leave anybody behind?

It is our obligation. It is our duty to account for every single person.

Mr. METERSKY. Myself, 25 years ago, I was sitting in California, and I opened the paper, and there was a Vietnam demonstration to their credit advocating the POW/MIA issue. And I read the number 2,200-and-something, and I said, “My God, there is over 8,000 from the Korean War. What is wrong with the Korean War MIAs? Where is anybody advocating?”

The following Monday when I returned to New York, I picked up the phone. And the rest was history. And that is how I got involved. I am a Korean War veteran. I have memories of carrying dead out of Korea that I have lived with for over 50 years. And I have been advocating for the Korean War MIAs.

And if we don't do the right thing, it sends a message to our men in uniform, "Hey, once you are gone, you are forgotten." And that is not what this country is supposed to be about. This issue actually was started in 1954 by government commitment to the men who died for this country. We owe them for their commitment, and silence, and the ultimate sacrifice to do whatever we can to get the fullest possible accounting from all wars.

Dr. SNYDER. Ms. O'Shea.

Ms. O'SHEA. I got involved like many other people in the late 1960s and early 1970s by buying a POW/MIA bracelet. And I drew the name—it was luck of the draw—of a young Army sergeant who had disappeared.

And back then, in my naivete, I believed that he was, you know, just one person; it was an isolated incident. And as I came to learn, he went missing with two other men, and I thought to myself, "How is it possible that the Army could lose track of three men at once?" That is how naive I was.

And I would come to learn that, you know, whole teams and whole aircrafts would simply disappear with no evidence of what happened to these men. And I decided I was going to find out what happened to this particular individual. And I started researching.

Eventually, I joined the National Alliance of Families when they formed. And I continued my research with them. We did learn—and my guy and his three teammates were recovered. They are resting at Arlington now.

And, in fact, it was 11 years ago this month that we came and buried them at Arlington. And that is something every family should have. It is a commitment we owe to every fighting man that we will bring them home.

And I am sad, and I am embarrassed to say it is a commitment our government has not lived up to. We see today that, looking back, it would have been so easy after World War II to recover the men missing, especially in the South Pacific, because we are finding aircraft relatively easily and pretty often in the South Pacific.

If we had taken a harder stance at Panmunjom and demanded our POWs, if we had taken a harder stance on the intelligence of POWs crossing into the former Soviet Union and China, perhaps we all wouldn't be sitting here today. A lot of the families would have the answers. They deserve the answers.

And we are going to keep pushing at Congress. Sorry. But we are going to keep pushing. And we are going to be seeking the answers. We are seeking declassification, because in spite of what you have heard, all the information is not declassified and available to the families.

Thank you.

Dr. SNYDER. Ms. Phillips.

Ms. PHILLIPS. I became involved in this doing research on my uncle.

What I found out was my uncle was shot down, had burns on 90 percent of his body, taken POW, received beatings on top of that, and died in the prison camp weighing 80 pounds. After the war, his remains were placed on a C-47 with other POW bodies, and that C-47 went missing with the POW bodies.

However, what I found was a bigger picture that there were 78,000 men who their own stories to tell. When I started going to the family update meetings, I was told—you know, and I questioned why is nothing being done for World War II?—I was told I would have to form a family group if I wanted anything done. And that is what I did with other family members.

A big problem World War II families have are our records are still classified. The X-files are not opened. Although I found out we are now opening the X-files. And World War II families have to do their own research, provide documentation to take to JPAC before anything can be done. We have to do our own research and provide the documentation—photos and all of that—before they will even look at a case.

And that shouldn't be the case. The family members should not be paying out of their pocket to fly over to another country to find their relative in order for Congress to do something to bring our men home.

Thank you.

Dr. SNYDER. Ms. Griffiths.

Ms. GRIFFITHS. My brother has been missing in North Vietnam since September 21st, 1966. To be a member of our organization, that has to happen. I took over from my father, who was a former executive director. And after a couple of years, I have been executive director now since 1978—so over 30 years—and have been to Vietnam, Laos and Cambodia countless times, and was a member of the interagency group, which I believe Mike or Phil, one referred to, with a top secret clearance that was discontinued in 1993.

So even though we probably won't ever get anything on my brother, I believe in this obligation. And I think the league's legacy is important to ensure that those who serve now and in the future have the absolute confidence that our government won't walk away from trying. So, not everyone will ever be accounted for, and we all know that.

Mr. RILEY. Well, we work for an organization that since 1919 has been concerned about taking care of our brethren.

From a personal standpoint, I can tell you I can't imagine not having assurance in my mind that in fact my country is going to follow and take care of me whether I am dead or alive, having been in combat and thought about that. You are scared to death of becoming a POW, but you are also—I mean, you just—your frame of mind if you didn't think your country was going to get you back to your family one way or another was just unimaginable to me.

And I think it would absolutely cut at the core of our ethic. And we are lucky that we have people that go out and do what they do. But this is a big part of it.

Mr. WYSONG. As a Vietnam veteran, this issue has always been important to me.

But it really came to light back in the late 1970s when Ann sent me a bumper sticker that said "Hanoi: Release Our POWs/MIAs." And I really got involved in it.

And since coming to Washington to work for the VFW, this has been an issue under my directorate. But the VFW has been concerned about our missing for many, many years.

We have traveled—our national officers and Washington staff have traveled to Vietnam, Laos and Cambodia every year since 1991 to press the governments of the host nations for better cooperation and to allow us more access to their military archives to find the answers.

Over the last five years, we have traveled to the PRC—the People's Republic of China—spoke with their ministers of defense, ministers to foreign affairs, to press upon their government for better cooperation. To Russia the last five years to meet with their high-level government officials to press upon them the importance of this issue and how important it is to the American people.

And I believe the common thread here—why is this important?—the common thread between all of us is the answers for the families, to bring closure to the families, and to send the message, as I said in my oral, to the men and women serving today that you will not be left behind.

Dr. SNYDER. Thank you all for your time.

Thank you, Madam Chair, for your indulgence.

Also, Mr. Wysong, it is reassuring as elected officials to know the power of a bumper sticker. [Laughter.]

So thank you all for your eloquence. I appreciate you.

Mrs. DAVIS. Thank you.

Mr. Johnson.

Mr. JOHNSON. Thank you, Madam Chair.

And I would like to—first of all, I will apologize for not being here on time. But there were several other things that prevented me from doing so. But I will tell you—and I don't fully understand what you or family members or those that you represent, the kind of trauma, it is only natural for you people to have, when they can't properly funeralize their loved ones for whatever reason.

And I am gaining a better understanding, as many people here in Congress will continue to do, particularly as we hold these oversight hearings. And I would like to point out to you, if it has not already been pointed out, that this is the only the second hearing in the last 11 or 12 years. And the other hearing took place in the 110th Congress, and we are now in the 111th.

I would say that there is some definite momentum here for there to be—it has already been a new look. And I appreciate the chairwoman for bringing this up today. And I know that it will continue to be an issue. And someone said, once you are gone, you are forgotten. I don't think that that is going to hold true in the future.

And I don't know how many of Congress people have the missing in action flag up as you enter their office along with the American flag, but there is quite a few, I believe. And my office is one.

But I would like to think, you know, that represents people on both sides of the aisle who are attuned to this issue. And so, you know, I am sure that it will get more coverage.

I appreciate you all for keeping the issue alive, because it is something that I am sure the people who are directly affected, you know, need advocacy so that we can bring them—and I hate to use this word because it is so overused—closure.

So that is—I have no question, Madam Chair.

Mrs. DAVIS. Thank you for your comments, Mr. Johnson.

Ms. Kilroy.

Ms. KILROY. Thank you, Chairwoman Davis.

And thank you, members of the panel. I particularly want to thank those of you who have served in our military and served in our conflicts. I want you to know that we honor and respect your service. And I believe that we owe a debt as a Nation to those served and to their families. And we need to recognize that, I think, the families also sacrifice a great deal when loved ones are called up. And when loved ones don't come home, that loss is excruciating.

I am the daughter of a World War II veteran who served in the Pacific theater, who served in New Guinea. He came home, but his brother Leo did not come home. My grandmother didn't have any hope of having remains returned. He was lost at sea. But I am sure that would have meant a great deal to her if that would have been possible.

And another uncle was a Korean era veteran. And, of course, I grew up in the time of the Vietnam War conflict and, you know, my good buddy from a couple doors down was lost in action in Vietnam. And that had a very big impact on me as a teenager high school student.

So this is an important hearing today. And I thank the chairwoman for allowing me to participate even though I am not a member of this committee. This is an issue that is important to us and to our country.

And I listened very carefully to your testimony and to your answers to the question about how you got involved. And it seems to me that you are very concerned that each soldier got what we promised him as a Nation, that those families got that respect that they were due to have their loved one's remains come home, and that it also meant something to soldiers currently serving that we weren't going to leave them behind in a foreign conflict.

So what it says to me is that regardless of conflict that you believe that each of you would be committed to trying to find and bring home the remains of our soldiers. And that would be a good reason not to have any particular divisions between which conflict somebody served in or was lost in.

And so I was wondering if you had thoughts about the allocation of resources. You know, Ms. O'Shea referenced the planes that have been identified in the Pacific theater from World War II.

And that is recently something that has been brought to my attention because the remains of a resident and service member from my 15th congressional district—Second Lieutenant John Funk, who was a navigator aboard a C-87 aircraft in 1943 that disappeared in that dangerous area known as the Burma Hump, the region between India and China. His plane was returning from airlifting supplies, equipment and personnel to the Chinese government and allied forces after the mainland route through Burma was seized by the Japanese. These missions were certainly key to getting supplies to the coast and to helping our Pacific theater operations.

It was called the "forgotten theater" of World War II. And I just want to make sure that these men are not forgotten now. So I was wondering, particularly since you made the comment about the planes that have been identified, you know, what we can do to expedite the investigations of those planes that were gone down and

to bring home the remains of people like Second Lieutenant John Funk?

Ms. O'SHEA. More funding and more staff. We need to have additional teams that are able to go out, not at the expense of another conflict but rather to elevate all conflicts, all wars, to the same level, the same priority, the same professionalism. And fund it so that you can have teams going out and recovering the World War II, the Korea losses. While North Korea, there is a problem; we all acknowledge that. There are many American servicemen resting in the grounds of South Korea. They need to be brought home. They need to be identified. We need a project of such massive proportions that will allow this mission to be accomplished.

And I would also like to just add that while we are focusing on recovering and identification of remains, I would like to go back to my testimony and remind this committee that there are cases where the individuals survived their loss. There is intelligence that they were being moved or at other locations. And searching for those individuals at loss locations, quite frankly, will be a waste of time. We have to determine who those men are. We know who some of them are. But we have to reinvestigate those cases and pursue new avenues with the governments that are accountable for these men.

Mrs. DAVIS. Ms. Kilroy, I am going to go ahead and let the rest of you respond to that question.

I wanted to ask that as well, about the flexibility and changing the strategy that we have before us today. And so if a few of you want to comment on that, and then we are going to break for a vote. And we are going to take the next panel after that.

So I just wanted to let you know if you wanted to weigh in on this question in terms of the strategy "most recent first," which is, you know, up in terms of a discussion, really, of how we look at this strategy differently.

Ms. PHILLIPS. I think a couple of things that would help is new technology, like the ground penetrating, you know, radar side scan sonar, and research.

World War II, we have to do our own research. All the records are here in DC. I don't know if you want to hire an independent group to help JPAC with that. You know? I mean, you are going to have to fly someone from JPAC up here to look at records. It is kind of crazy. And even if DPMO looks at the research, you are not always sharing information.

And we do need new technology like the ground penetrating radar for the aircrafts that you are talking about being down, or side scan sonars of aircraft underwater.

So I wanted to add that, and—

Mrs. DAVIS. Okay.

Ms. PHILLIPS [continuing]. More research needs to be done.

Mrs. DAVIS. Thank you.

I wonder if anybody wants to respond to a change in strategy quickly, because we are going to have to stop.

Go ahead, Mr. Broward, I think you had your—

Mr. BROWARD. I don't know whether you would call this a change of strategy, but there is new technology called radiograph matching that is terribly important—

Mrs. DAVIS. Right.

Mr. BROWARD [continuing]. Developed in January. And it is going to need funds for research and development.

Currently, the JPAC budget does not have any funds for research and development. And I think that with such a possibility of identifying so many unknowns with this new radiograph matching technology that it is really going to need some attention both for hiring forensic anthropologists and historians with this technology. But they are going to need funding to develop the software.

Ms. GRIFFITHS. What I wanted to say is, quickly, and agreeing with the technology, there have significant advances.

What Ms. O'Shea said about people last known alive, those require investigations, and many of them were alive and on the ground. We have been talking in terms totally of remains today, which always distresses me. But it is one of the reasons that the Defense Intelligence Agency specialists that are investigators are so important to the Vietnam War effort.

But I would point out, too, in terms of strategy and timing, it isn't just looking at remains, recoveries from 50 and 60 years ago. In the Korean War, there were people last known alive that haven't come back. And in the Vietnam war. That is not true, obviously, on World War II. And yes, there are about 30,000 that went in sea—maybe it is more; I don't know the exact numbers—that are considered buried at sea.

But there is a wide variety here. And each war needs to be addressed in its own circumstances, including investigations on people who were last known alive. And that is not to say they are all running around alive somewhere today. I am saying those have been the highest priority of our government.

Some of us differ with how serious it has been. But nevertheless, it has been a separate priority, and that is the focus on most recent wars because of last known alive cases being the priority. As they should be, I believe, in the Korean War as well.

Ms. O'SHEA. If I may, I would just like to add to that that our organization does believe that there were last known alives from World War II. There is evidence in the gulag study that was done by the Joint Commission Support Directorate that is the investigative arm of the U.S.-Russia Joint Commission that talks about that. As Ann said, we don't know that they are alive today. But certainly there is evidence that needs to be looked at because if we are looking for those men at the loss locations, we are not going to find them.

Mrs. DAVIS. Thank you.

Ms. PIACINE.

Ms. PIACINE. Yes. I would like to say that what I think is really important in the accounting process and to move forward, we definitely need your support desperately on having our files declassified, even though they have been—there is a presidential order out to do so—this has not been done.

And most recently, a research team from the Coalition of Families went to the National Archives and went through boxes where they had multiple slips that just the files had been taken out, and they were debriefing files. And no one has even looked at these files for over 15 years. We really need your help.

Thank you.

Mrs. DAVIS. I want to thank you all so much for your participation today. It has been very important for all of us to hear from you. And, as I said, we do have your full testimony, but we certainly welcome any other written statement that you choose to give us and to stay in touch and engaged as you certainly have been. And we hope to be very responsive to that.

When we come back, we will have the second panel. And you are certainly all, of course, welcome to stay.

Thank you.

[Recess.]

Mrs. DAVIS. Thank you, Ambassador Ray and Admiral Crisp.

We want to welcome you to the hearing today. And we know that you have probably been listening in on the testimony earlier. We certainly appreciate the fact that we had everybody attending. And now we look forward to hearing from you. Please proceed.

**STATEMENT OF HON. CHARLES A. RAY, DEPUTY ASSISTANT  
SECRETARY OF DEFENSE FOR POW/MISSING PERSONNEL  
AFFAIRS, U.S. DEPARTMENT OF DEFENSE**

Ambassador RAY. Thank you, ma'am.

Thank you, Madam Chairwoman, Congressman Wilson. I very much appreciate you giving us the opportunity to lay out our views toward improving the critical mission of accounting for missing Americans from all our past conflicts.

I know your time is limited, so I would ask that the extended version of my remarks be entered for the record.

Your invitation is most welcome at this time. One of the primary reasons our agency was formed in 1993 was to ensure the families of all our MIAs and the public in general received all—I repeat, all—the information that the government had assembled on their cases.

In my agency alone, we devote approximately one-third of our resources to keeping the families, the public and the Congress fully informed. Also, as you may know, families are entitled to receive information previously classified, which has had the sources and methods removed.

We take this commitment very seriously, and we work hard to prove it every day. We continue to strive to provide equitable treatment to all groups representing all conflicts. Our strategy has been revised to reflect sound management and business practices and to honor the sacrifices of all of our personnel regardless of the conflict.

Now, when I meet with a group of family members, as I do virtually month, I don't see conflicts. I see Americans who have sacrificed so much for this country and who are entitled to have that sacrifice honored and respected.

There are more than 80,000 Americans missing from past conflicts. Each month, when we hold our family updates in cities and towns across the country, we see the grief and the pain that so many of our families still suffer.

So long as this Nation remains committed to finding its missing sons and daughters, we will continue to carry out this mission.

We are looking at ways to improve how we carry out our mission, keeping the promise that this government has made to account for

our missing. But in the first instance, our goal is to bring our people back alive.

To be sure, our primary obligation is to bring everyone home alive from foreign battlefields. I am sure you have seen the heroic stories of those rescued from today's conflicts. But a little known fact is that there is only one soldier missing from Iraq and none from Afghanistan, when you compare that to the 80,000 who are still missing from Vietnam, the Cold War, the Korean War and World War II.

We see this dramatic shift in response to at least two areas. The first, of course, is technology, which enables us to keep track of our own people on the battlefield, and to bring them out of harm's way if need be. The second is the fact that there are lessons learned from previous conflicts applied to the combat soldiers of today.

For the future, I believe we need to leverage technology more effectively to include using information technology to communicate better with our constituents and to gather the information that is essential in resolving cases. We must avoid getting locked into fixed strategies or ways of doing business.

Today's mission of accounting for the missing arose from the government's efforts during and following the Vietnam War. But although warfare has changed, and technology has changed, the pain of a missing loved one has not. I see that every day as I interact with our families. The effort to account for the missing from all conflicts is one promise that I will never abandon.

In order to effectively serve our constituents, we must constantly evaluate and assess our methods of operations, resource bases and command relationships to ensure they are doing what must be done if we are to continue to be successful.

While we must continue to honor the sacrifices of our heroes of past conflicts, we must also keep our eyes on both the present and the future. We owe a debt to those currently serving and to those who will serve in the future to do all we can to assure them that we will keep the promise.

We need to encourage out-of-the-box thinking on this issue. And while we shouldn't reject tradition just for the sake of doing things differently, neither should we allow tradition to become a straight-jacket to innovation.

I have touched, I know, on several issues directed at our future efforts and our future commitments, and I will be more than happy to take your questions.

[The prepared statement of Ambassador Ray can be found in the Appendix on page 172.]

Mrs. DAVIS. Thank you. Thank you.  
Admiral Crisp.

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

Admiral CRISP. Madam Chair and members of the committee, thank you for this opportunity to appear before you. And I am pleased to update you on the Joint Prisoner of War Missing in Action Accounting Command after my first year as commander, and following the last appearance nine months ago.

First, on behalf of the men and women of JPAC, I want to express my sincere appreciation for your continued support for personnel accounting efforts. You heard from family members, veterans and concerned citizens at the first panel, each from very diverse backgrounds and perspectives. All are important to us, and we listen to their recommendations, and we appreciate their support to our humanitarian mission.

Delegation visits like Ms. Ann Mills Griffiths and those of veteran service organizations serve to reinforce the United States Government's commitment to the POW/MIA mission and demonstrate the importance of our issue to the families of those who remain unaccounted for as well as the veterans who served with these men.

In addition to our field operations, much of my focus in JPAC has been to structure it to effectively accomplish our mission and to provide a quality of work environment for the men and women of JPAC, and to establish processes that will sustain and improve the organization and mission in the future.

In 2008, we worked in 15 countries and completed 72 missions. We identified 80 Americans who lost their lives in the service to our Nation. This is a 14 percent increase over the 2004–2007 identification average.

This year, we are working in 12 countries, conducting 62 missions to account for missing for World War II, the Korean War, Vietnam, and have already identified 29 individuals.

In addition to continuing our operational focus, we have also concentrated on process improvements, both in our partnerships with foreign countries as well as internal to JPAC. We conducted a 20-year assessment with the Socialist Republic of Vietnam.

We have also realized very positive progress with the Laos People Democratic Republic and how we conduct our joint field activities, enabling us to save money and maximize the team's time on site. The Kingdom of Cambodia continues to be extremely supportive of our humanitarian mission, and we also received support from the Republic of Korea, Papua New Guinea, the Republic of India, the People's Republic of China, and many other countries throughout the world.

In the area of JPAC improvements, recruiting and retention of our scientific staff has been my focus for the past year. We have implemented several programs, such as student loan repayment, creation of developmental positions to leading to senior positions, the establishing of a forensic science academy to name a few.

We are already realizing results from these initiatives. Federal employment in the laboratory is 78 percent, with 15 full-time fellows, that brings the laboratory numbers 110 percent of our workload requirement. Our scientists continue to excel in research and development of innovative forensic identification tools and techniques.

Over the past two years, our focus has been on video superimposition and radiographic clavicle bone matching. Once validated and accepted in the forensic science community, our identification rates should increase. This new identification technique is going to make a significant capability applicable to the Korean War unknowns.

Since my last opportunity to speak with you, we have more than doubled our total laboratory analytical space. When I departed Hawaii last week, the remains of more 80 American service members were under analysis. This is almost twice the number that were under analysis at this time last year.

By this summer, I expect 50–60 more remains unilaterally turned over by the North Koreans in the early 1990s and often referred to as K-208 to be completely moved to the facility at Pearl Harbor. This will more than triple the analytical table space. And for the first time in 19 years, the scientists will be able to analyze these remains in detail without interruption of other cases.

We are quite pleased with the additional space, and we look forward to the completion of our military construction project, when our entire organization will be in the same location. And that will increase capabilities and effectiveness at JPAC.

This is a brief update on JPAC, and we believe we are poised for the future, we are in the right location, we have the full support of the United States Pacific Command and the Defense Prisoner of War Missing Personnel Office.

Madam Chair and members of the committee, thank you for this opportunity, and I await your questions.

[The prepared statement of Admiral Crisp can be found in the Appendix on page 183.]

Mrs. DAVIS. Thank you very much.

And, of course, we are here today to try and see how we move forward, recognizing the gains that have been made and some of the difficulties in trying to bring together so many interests when it comes to the issue that we are dealing with, which we know is just so terribly important, I think, to our country.

I am wondering, Ambassador Ray, going back to the structure question that we talked about in the earlier panel, will the study by Institute for Defense Analyses (IDA) assess the POW/MIA community organizational structure to see if changes, in fact, do need to be made?

Ambassador RAY. Madam Chairman, the IDA study is focused on how to improve the rate of identifications.

Referring to comments made by Congressman Wilson in his remarks, we have recognized that we do need to look at increasing the rate. Given the circumstances of the conflicts, the Vietnam War sites are deteriorating at a remarkably accelerating rate. World War II, those family members that we are aware of are getting no younger day by day. And so we owe it to them as well as to honoring those who have sacrificed for the country to do all that we can to increase the pace.

What we don't have a very firm handle on at the moment is to what level can we increase this. We are currently doing some 70 per year. The study initially focused on a number of 180 per year. That is subject to modification as we look at what is feasible.

And it is looking at the entire identification process. It is too easy—or I should it is rather the view that if we make a change in the lab that we will materially affect the identification process ignores the fact that there are other elements that play into it.

If you increase the numbers, for example, of bone cuttings in the lab of remains for identification (IDs), you also have to consider the

impact on the workload of the Armed Forces DNA Identification Lab. You also have to consider how much research support, how much analytical support has to go into working with that anthropologist to make that ID.

So what the firm that is doing the study has been directed to do is to look at the entire process, look at what is feasible—

Mrs. DAVIS. Are they also focusing on the structure?

Ambassador RAY. They are focusing on the structure, the funding, and the manning of the lab and other aspects of the identification procedure to see how we can achieve increases.

Mrs. DAVIS. Okay.

Do you have some thoughts as well, though, when creating more of a defense field agency?

Ambassador RAY. Well, I constantly look at how we are organized. And, of course, one of the ideas that I have given to people to look at would be, is it more effective to have a defense agency concept as opposed to having a geographic commander responsible?

There are no—I am not wedded to one way or another. What I have asked people to do is to look at the various configurations that are possible and try and decide what is the most effective way not only to do the mission that we currently have, which is to account for the missing from the wars of the past, but to configure ourselves to position ourselves so that we can effectively serve the Nation for current and future wars.

Mrs. DAVIS. Thank you.

And just turning to Admiral Crisp before my time is up: Do you think a more direct funding stream would help JPAC receive the required resources that it needs?

Admiral CRISP. Right now the funding stream is called out in the budget. So for that I think we have the visibility.

I believe that the U.S. Pacific Command supports the funding for JPAC. The only reason we had a reduction this year was a congressionally mandated mark.

And so I am comfortable that we have this ability of what we are doing at JPAC for our funds.

Mrs. DAVIS. Okay. Thank you.

My time is up, and I will move to Mr. Wilson.

Mr. WILSON. Thank you, Madam Chairwoman.

And thank both of you for your obviously dedicated service. It has been inspiring to me to hear both of you speak.

Additionally, Ambassador Ray, I want to reiterate my appreciation for your military service, your extraordinary diplomatic service and wish you well on your return to the State Department.

And this is really a question for each of you. In the different Veterans Service Organizations (VSOs) that we heard from, their commitment was also inspiring, and that is what creates this question. We have heard some testimony that contracting for professional historians, archivists, genealogists, and researchers could assist both DPMO and JPAC in carrying out current missions.

Given that JPAC is only 84 percent manned at this date, to what extent has the use of contractors been evaluated to increase JPAC's ability to meet mission requirements and help reduce the backlog of remains that must be identified?

Admiral CRISP. The contracts that we use, I have contracted forensic anthropologists. I have coming onboard this summer a contracted odontologists.

For the area of historian, I am taking the command from four historians to eight this year. And so I am using the military-to-civilian (mil-civ) conversion when we are talking about the numbers in that to shape the numbers of historians that we need to get the job done.

Ambassador RAY. In regards to DPMO, part of the decision on how we allocate analysts and researchers will depend on the final decisions on the conflict strategy, which is, as you heard in the earlier testimony, has been put in draft and is available for review.

We have made some changes, in fact, in the allocation of researchers to various conflicts to ensure a little more equitable coverage. I wouldn't go so far as to say that we have achieved all the goals that we set for ourselves.

We were fortunate last year in working within the defense system to get some authorized increases in personnel. Of course, my first priority because I do also have to manage the flow of information to families was to increase the staffing available to man that function. And that is the declassification process to ensure that we comply with the intent of the regulation, that those documents relating to POW/MIA cases that are classified are declassified and placed in a place that they are accessible not only to the families but to the public. We are working now to increase our staff in that area as well.

Mr. WILSON. And both you have identified advances in technology—the clavicle identification.

I am somewhat surprised not to hear about DNA capabilities of technological—

Admiral CRISP. Well, I could tell you about what Armed Forces DNA Identification Laboratory (AFDIL) is doing. It was their demineralization process.

So it was when the Korean War men came back and were buried in the Punchbowl and exhumed, they found that they had—the mortuary in Japan—had soaked the remains in formaldehyde and put a formaldehyde past over it. So that challenge of not having DNA has put AFDIL on the cutting edge of trying to find ways of finding DNA in different ways.

That said, the demineralization process which they did just several years ago impacted the entire forensic capability of the United States, the difference being instead of having to have a piece of bone half the size of the palm of your hand, now you only have to have a piece the size of your fingernail.

And that made a tremendous difference for the remains from Vietnam, because the soil deteriorates them so much. In many cases, at that point in time, the pieces of bone we couldn't get DNA out of, now we can. So you will see that making a difference there.

I know that AFDIL is working on not only advances for their mitochondrial DNA but also their paternal DNA and, again, advancing their demineralization process.

If you would like me to talk about the advancements in JPAC on the clavicle bones, I would be happy to talk about that. It is pretty fantastic.

Mr. WILSON. I think I would be interested.

Admiral CRISP. Basically, if you look at how forensic anthropologists have in the past looked at it, they take a clavicle bone and they try to match a few places, trying to guess who that person could be.

I brought a young scientist, a Ph.D. in forensic anthropology, who had the idea of doing clavicle bones with the lower neck and doing eight different bones with 30 different points of identification. And he has worked industriously on this for a year. And we are up to the point where he has identified 9 of 10 correctly. So he is excited. I am excited.

And so we started out on this journey. The first thing you had to have were the x-rays of the men who died and now are unknowns. So we have been working to get the x-rays. We got them from the Army and the Air Force. We just recently found the Navy and Marine Corps.

And basically you have to go through entire spools of every x-ray that was done at a hospital to find that one person you want. So this is—we are working on it. But we are getting all the x-rays in.

I had one photographer working on it. I now have a team of four photographers capturing these x-rays digitally. After that is done—and they are doing that on two shifts right now. After that is done, instead of having a Ph.D. outline the bones on the x-ray, I am going to look to see if maybe a draftsman or a Master's level person to work on that so we can accelerate that.

So it started out with a process that would take four years. We have now shrunk it to two years. And I am trying very hard to try to compress it to one year by watching how they do their work, keep adding extra things they think that will make them go faster.

Because I think when we are done we will have—assuming that it is accepted by the forensic science community—we will have a fabulous identification process. The entire—you know, there are scientists all over the world that are aware of what we are doing, because they come and drop by. They want to just sit and watch what we are doing because it is so cutting edge. So I am very excited about it.

Mr. WILSON. Thank you.

Mrs. DAVIS. Thank you.

Dr. Snyder.

Dr. SNYDER. There was a reference just made to your school. Will you talk about that, please?

Admiral CRISP. Forensic Science Academy started out as I began to look, and our whole team began to look, at recruiting and retention for JPAC. There was a variety of reasons, and I can discuss them later, why the manning was going down.

But one of the things that I noticed is that we had talent in the command, but they needed to go to that extra level in order to be a Ph.D. level candidate. They needed extra training.

In addition to that, many of the Ph.D.s that work for us would love to be associate professors at universities. By putting together an academy that not only self-trained the people you needed to pull them up by their bootstraps, you were also giving your own Ph.D.s the opportunity to earn associate professor credit.

We have taken that further by working with the University of Hawaii, who has a Ph.D. program in anthropology. And we continue to link with other medical universities worldwide to build this into a fantastic training and recruiting and retention tool.

Dr. SNYDER. Why don't you talk about the manning and if they are related.

Admiral CRISP. The manning, when I first started looking at it, was only at forensic anthropologists that were deployable. So much of the information that you asked from me was just focused on those deployable anthropologists.

But as we got involved going back and forth between your committee and myself, we got into the whole lab. So let me just go through the entire laboratory.

The laboratory is authorized 46 people. And they have 36 assigned. Those are federal employees. There are 15 fellows. A fellow can either be a Ph.D. or a Master's level person.

So when you get done, you had 51 work years against 46 authorization. That is 110 percent manning.

Keep in mind from my perspective to have a robust command of any function, you should have federal employees. You should never rely on mission critical execution in augmented manpower. Okay. So the whole focus that I am doing this year and into the following year is to bring aboard federal employees.

That said, if you looked at just the anthropologists, we have 26 anthropologists that are authorized. We have 18 that are assigned. Ten of those fellows are anthropologists. So that means I have 28 anthropologists for an authorization of 26. Okay?

If you go into just deployable, which is what so many people look at, I have 22 deployable anthropologists, 14 assigned, 4 fellows, for 18. That is the critical area I am looking at because it is 64 percent for federal and 81 percent with the fellows.

That said, if you compare that to Army manpower study that was done that required 27 anthropologists, our 26 is very close. In addition to that, we mitigate that by archaeologists, because many times when you go out on burials what you are really looking for is a change in the soil composition. And so the archaeologists take up that load.

So if you look at the entire manpower study that was done by the Army, with the requirement of 37 and JPAC having 46, I think we are in good stead. But not satisfied with that, I asked the Pacific Command to hire someone. And they are bringing in an Air Force team of manpower and industrial engineers, and they start this month. And they will go all the way to September.

And we are going to do a complete requirements documents for the command. And that will include—you know, first it gives you the quality and quantity that you need to do the job you are currently assigned to do. And it will also allow us to say: If we were to increase identifications, or if we were to increase recoveries, what would that manpower skill set be?

And so that is what will be ready and available come the end of this year.

Dr. SNYDER. Thank you.

Mrs. DAVIS. Thank you.

Ms. Shea-Porter.

Ms. SHEA-PORTER. Thank you.

Thank you both for being here and for the work that you—very difficult, sensitive work. And many people are depending on you, so thank you.

Mr. Ray, I had a question about what kind of relationship your organization has with the family members, listening to those who lost loved ones in Vietnam versus those who lost loved ones in World War II or Korea or other wars. And could you talk a little bit about some of the problems that you are encountering and some of the solutions you think might be there?

Ambassador RAY. Well, I would say that our relations with the family members as an organization, and we meet with them eight times a year in cities around the country at family updates and twice a year in Washington—one for the Vietnam War and one for the Korea/Cold War. Although this year because of economics, we will be doing our Washington meeting in St. Louis.

But what I see, and I go to almost all of these or as many as I can, and I try to talk with every family member that attends. I don't really see an appreciable difference in how we interact with a family based on the conflict.

Each case is an individual case. Each family is handled individually. And what I have observed is that the interaction is based more on the circumstances of the individual lost than on the conflict that it occurred in.

We have in the time since we have been organized in our family updates reached out to over 14,000 people. We just recently, last weekend in fact, did one here in Bethesda, Maryland. We had 122 family members attending. Over 70 of those, by the way, were first-time attendees. And over, I want to say, 60 percent of the attendees were Korea/Cold War.

But as you walked around the room and talked to people, unless they told you what war their relative was missing in, you couldn't tell.

Ms. SHEA-PORTER. Shared sacrifice.

And you said that you are going to provide transparency in community efforts as part of your strategy.

Ambassador RAY. Yes, ma'am.

Ms. SHEA-PORTER. And what will be different?

Ambassador RAY. Well, when I took this job in September 2006, the strategy was most current conflict.

And on the surface that sounds like it maybe makes sense. But then when you start to think about it, there are similarities in conflicts. When you talk, for example, about the danger in loss of sites and the danger that you are losing witnesses. Losing witnesses is far more a critical problem in World War II than it would be in a more current conflict.

I also asked myself, what do we do when the current conflict becomes the most recent historic conflict when this war is over? How do we reapportion resources if we are going to talk about most recent conflict?

And even though we only have a very small number of cases that might still be unaccounted for at the end of this conflict, the circumstances will make it very labor intensive. We will be dealing with hostile populations. We will be dealing with a much more

complex issue than we do in many of the other theaters that we have to work in. I doubt very seriously if—we have very good relations with former foes for some of the other conflicts. I don't see that being the case in a conflict in the Middle East.

So that caused me to start questioning whether most current conflict was actually a viable strategy or perhaps we should be looking at it more in terms of look at all the conflicts and then look at those cases that are in most danger of us losing if we don't do something, and then evaluate them across all conflicts.

Ms. SHEA-PORTER. Keeping resources available.

And if I have one more second, Admiral Crisp, I know that the personnel who work with you have extreme challenges in the actual physical setting where they go. I remember hearing about this last year.

How is the morale, and how are things going in terms of the physical risk that they undertake in order to go to these sites to recover our beloved servicemen and women who have died?

Admiral CRISP. Well, I think the morale is great.

I just had a report from the Indian officials that came back from the mission in Arunachal Pradesh, and they talked about our men basically climbing on their hands and knees as they went over very steep areas to make it to the jungle. So the sites in India are extreme elevations.

So they are working hard. They are in arduous situations. I do prepare them. For instance, if they are going into high altitude, mountaineering kinds of recoveries, I make sure that they maintain a higher level of physical fitness in order to accomplish those missions and not be harmed.

Ms. SHEA-PORTER. I thank them. I thank both of you and the families of service people.

Ambassador RAY. Ma'am, if I might add one thing, please.

And I think Admiral Crisp is being overly modest when she describes what her people do.

Like her, I go out and visit these people in the field when they are on excavation sites and actually have been doing it even before this job when I was consul general in Ho Chi Minh City and ambassador in Cambodia. And I am impressed with the morale and dedication of the people in the field.

But I would go so far as to say that in her modesty she did not mention that even in Hawaii they face risks. She was talking about the x-ray project, for example. These are old x-rays that emit toxic fumes when used, and she has people who are risking their health in order to settle these cases.

And I think that is a fact that should be noted. And they are to be applauded for the risks they take to pursue this mission.

Ms. SHEA-PORTER. And we certainly thank them.

Thank you. I yield back.

Mrs. DAVIS. Thank you.

And I certainly hope we are doing everything we can to mitigate those health risks as well. And please let us know if there is something else that we should be doing.

Ms. Kilroy.

Ms. KILROY. Thank you very much, Madam Chair. And thank you for allowing me to participate.

I have learned a great deal from both of the panels that have presented here this afternoon.

And thank you, ambassador and admiral, for participating.

Admiral, you referred to the rigors of the recoveries in Arunachal Province, and I appreciate you bringing that up. As you know, I had sent you a letter regarding the recovery of the remains of Second Lieutenant John Funk, a resident of Madison County, who as a navigator aboard a C-87 aircraft disappeared. And they have been located by a Mr. Clayton Kuhles, a private citizen, outside a village in that province.

And as we know, you know, time is a very valuable and limited commodity for each and every one of us. But for the families of these men, the days are getting shorter.

Lieutenant Funk's radio operator was also one of the five whose remains were uncovered. His wife is still alive. She is 93 years old. And I think it is imperative that we make the recovery of the remains of our World War II fallen aviators and others a priority.

Admiral CRISP. I agree with you. I mean, I have a widow that is in a mission just on the hill right from where I was at in her nineties that emails me very concerned to have her husband back with her before she goes on.

So we are working very hard. In the case of people that go and find sites, and in the case of Mr. Kuhles, we have asked for the information and documentation. So very, very important to us when people go out—and there are many groups that go out and find things—that they return to us very detailed reports of what they have seen.

Normally, we would prefer to wait till we had the documented information before we would ever go to a family member to say we were looking at going to somewhere for their loved one. So in the case of Mr. Kuhles, we have asked for all the documentation. And we hope to get it all.

Ms. KILROY. Thank you.

Admiral CRISP. And the government of India is very forward leaning in helping us.

Ms. KILROY. That is good to hear.

Admiral CRISP. And so I look forward to a long partnership.

Ms. KILROY. In terms of the overall issue and reassessment of how resources should be deployed, in 2006 the Department of Defense stated that, quote, "Our long-term strategy for addressing World War II accounting is very much a work in progress" and noted that Congress mandated that the Department make a reasonable effort to recover remains of U.S. servicemen lost in Pacific theater air operations, particularly in New Guinea, that it contemplated a limited effort.

Besides some of the physical challenges like you described with the altitude and other issues, what is holding back, or what can we do to help you to complete this particular mission? And I don't mean—

Admiral CRISP. We are talking to—

Ms. KILROY [continuing]. Necessarily Lieutenant Funk, I mean the mission of recovery of the World War II missing.

Admiral CRISP. I believe we are focused on getting out to these sites and making positive relationships with all the countries. And that is the most important thing.

If you desire to increase the number of missions, then that would be something that I would work into the calculus of what manpower would be required to do that.

But right now if I were to look at level of effort in World War II, I spend 21 percent of my recovery and investigation missions in World War II, 12.8 percent in Korea, and 65.8 in the Vietnam War. So that is how I have parceled out doing the recovery and investigation teams.

Ms. KILROY. Would outsourcing—I think variations of this question have been asked earlier, and I heard you talk about how important the mission-critical items were. But certainly there are some private labs and others that could be used to augment some of the Department's efforts?

Admiral CRISP. If I were to speak on behalf of my scientists, they would tell you that when you go out and have someone else disturb a site, many times you can destroy that very important piece of information that would have made the difference in being able to identify that hero or not.

So on their behalf, they would say that they need to have very structured, stringent rules and regulations, and the identifications need to be done in a scientific laboratory. And they would most likely say contracting out would lead to error rates that our families would find unacceptable. If that is what you are asking.

Ms. KILROY. Thank you.

My time is expired. Thank you very much for your answers.

Mrs. DAVIS. Thank you very much.

And I just want to let you know, Ms. Kilroy, we really appreciate your being here today and sharing your interest in this issue. Thank you.

Before I ask a question, I am going to go to Mr. Wilson. And then we will come back. And then we are going to stop the hearing in just a few minutes.

Mr. WILSON. And Admiral, I am particularly happy to hear of the cooperation with the government of India, which is now a very strong strategic ally of the United States. And in particular, my father flew the "Hump," and so he served with the 14th Air Force Flying Tigers in India and China. So as you were reviewing that, it had special interest for me.

My final question for each of you: Would a congressional mandate, a new law, that DOD must ensure the fullest possible accounting of the missing and prisoners of war from Korea and World War II be helpful in addressing some of your concerns?

Ambassador RAY. Congressman Wilson, Madam Chairwoman, any congressional authorization that we get—a congressional mandate is most helpful to us, particularly as we try to gather the resources needed to do any extra missions.

So if there is a clear congressional mandate, it is always helpful.

Admiral CRISP. And I will yield to Ambassador Ray on that. It is clearly a policy area.

Mr. WILSON. Thank you very much.

Mrs. DAVIS. Thank you.

I would note that in the 2004 Defense Authorization Act, really, they reiterated the sense of Congress that the U.S. should continue to be relentless in those POW/MIA efforts.

And I am wondering, Ambassador Ray, when it comes to trying to delineate perhaps a new direction or strategy that you spoke to earlier, do you see that in need of legislative action at all?

Ambassador RAY. At this point, ma'am, I am trying to get as much input as I can from those in the community. And the community, I might point out, is—although we are the two large gorillas in the zoo, it is a fairly large menagerie of people who have an equity in it, who have a role to play in it, and whose input I would like to assess before we try and shape the strategy.

At this point, I don't that the remedies needed are legislative and not administrative changes in how we do this.

Mrs. DAVIS. Do you have the flexibility that you need—

Ambassador RAY. So far—

Mrs. DAVIS [continuing]. To adjust that as you see fit?

Ambassador RAY [continuing]. I have been given fairly free rein to try and herd the bureaucracy in the direction it needs to go.

Mrs. DAVIS. Okay. Thank you. I certainly acknowledge and recognize that, you know, many people who care so deeply in this issue are coming at it from different perspectives. And it is very difficult sometimes to blend all of those together in a way that works for everybody.

Looking at the need to find family reference samples and how difficult that is, I wonder if you could just turn to the issue of where at this time, as I understand it, we allow the service casualty offices to assist in seeking those family reference samples for identification.

Do you see that JPAC could play a larger role in this? I guess this is really to you, admiral.

Admiral CRISP. Well, what we are doing—

Mrs. DAVIS. What do you see as some of the issues surrounding that question?

Admiral CRISP. The family reference sample issue was primarily an ability to surge in genealogical research. So I know that the joint staff and others—we have basically a process improvement working group, which would be joint staff, OSD, AFDIL, JPAC.

There is a need for a surge in genealogical work. So if you were to look at right now 64 percent of the—we have on hand 64 percent of the family reference samples, and we need the rest. It is around 3,000. And most of them are in the Korean War area.

And so we do need that to be surged. In addition to that, we are looking at scrubbing the data. Each group has a different language that they use to account for their numbers. So very important in any common operating picture is to standardize the language. That needs to be done this year.

Ambassador Ray and I are proposing putting together a working group of just the people who do the numbers. We will sit them down in one room and scrub that information.

And then after we get that common operating picture in paper, then our recommendation would be to automate that with some kind of middle ware that goes into the legacy software so that ev-

everyone can see what the other person is seeing with family reference samples.

Mrs. DAVIS. Is there an area in which JPAC should have a larger role in this?

Admiral CRISP. We work on it in a process improvement group. So I don't see it as a larger role.

I think the stumbling block was infusing the services with more money for their genealogical work.

Ambassador RAY. And I might add, Madam Chairwoman, the joint staff recently conducted a study regarding this issue and is looking for ways that they can be helpful.

It is really less of a matter of asking can this or that organization do more, but how can we all do the job so that the whole job gets done better?

And as Admiral Crisp alluded to, one of the biggest problems with this issue and with many other defense issues is every service has its own language. Every organization we deal with has its own language. I spent the first year on the job having people interpret for me at staff meetings because I didn't understand most of what was being said coming from State.

So we have spent a lot of time just trying to make sure that in fact the problem is a problem and not a matter of we are simply saying the same thing in different ways and leading us to the conclusion that there is.

Mrs. DAVIS. Thank you. I certainly appreciate that.

It was mentioned that we were here about nine months ago. And I am pleased that I had a chance to visit with you, Admiral, as well in Hawaii at JPAC. And what I am wondering is, you know, where should we be next year? What would you like to see have changed in the interim? And what questions would you hope we might ask next year?

Admiral CRISP. Well, definitely I would like to have my addition finished this summer so I could have already tripled the amount of table space and seeing what positive results come from being able to lay out for the first time those unknowns from the Korean War that came in in the 1990s.

So that has been a long time coming to have that opportunity. And I would look forward to some kind of results from that effort.

Ambassador RAY. I think the ideal situation, in my view, would be that we determine an increased pace of output, be that identifications or recoveries, find ways to achieve it, and discover next year that we need to do more.

Mrs. DAVIS. Right.

Thank you very much. We certainly appreciate your being here.

Again, thank you to our first panel as well. We know that you have traveled to be here.

And I think that everybody who sits on this panel has a very clear sense of your commitment. And it is quite inspiring.

Thank you very much.

Ambassador RAY. Thank you, ma'am.

Admiral CRISP. Thank you.

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

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**A P P E N D I X**

APRIL 2, 2009

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**PREPARED STATEMENTS SUBMITTED FOR THE RECORD**

APRIL 2, 2009

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**Opening Statement of Chairwoman Susan Davis  
Hearing on Improving Recovery and Full Accounting of POW/MIA Personnel from all  
Past Conflicts  
April 2, 2009**

“I want to thank our witnesses for coming – we appreciate you being here with us. Our hearing today focuses on improving recovery and full accounting of POW/MIA Personnel from all past conflicts, an important issue which this subcommittee takes pride in overseeing.

“The subcommittee held an oversight hearing on the status of POW-MIA activities on July 10, 2008. It was the first hearing the subcommittee held since October 1998, over ten years ago. As I stated during the July hearing, 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.

“Over the past several years this committee has passed legislation focused on ensuring the POW/MIA effort remains a national priority and continues to receive sufficient funding to accomplish the mission.

“The subcommittee remains dedicated to the full accounting of all American Prisoners of Wars 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. Today we will hear testimony and discuss ways to improve the recovery and full accounting of those missing and bring them home to their families as expeditiously as possible. We have two panels of witnesses for our hearing.

“The first panel is comprised of members from a variety of organizations which all have a passionate interest in indentifying and recovering our missing. All of the organizations have a wealth of knowledge and experience in the matters of POW/MIA recovery and we are happy they could be here to provide us with their thoughts and ideas on how to improve the process.

“Let me welcome:

Mr. Michael H. Wysong  
Director of National Security and Foreign Affairs  
Veterans of Foreign Wars

Mr. Phil Riley  
Director, National Security & Foreign Relations  
The American Legion

Ms. Ann Mills Griffiths  
Executive Director  
National League of Families of American Prisoners and Missing in Southeast Asia

Ms. Lisa Phillips  
President

WWII Families for the Return of the Missing

Ms. Lynn O'Shea  
Director of Research  
National Alliance of Families

Mr. Frank Metersky  
Washington Liaison  
Korea Cold War Families of the Missing

Ms. Robin Piacine  
President  
Coalition of Families of Korean and Cold War POW/MIAs

Mr. Ron Broward  
POW/MIA Advocate

"Our second panel, both of who testified before us in July will consist of :

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

Once again, welcome.

"I would ask that you testify in the order that I stated and that you keep your oral statements to 3 minutes. We have received your written statement and will include them for the record. Also joining us today is Ms. Kilroy. I would ask unanimous consent that she be allowed to participate in the hearing. And now to dispense with some administrative business, I would ask unanimous consent that all of the testimony be entered into the record.

"Mr. Wilson, do you have any comments that you wish to make?"

**Opening Statement of Ranking Member Joe Wilson**  
**Hearing on Improving Recovery and Full Accounting of POW/MIA Personnel from all**  
**Past Conflicts**  
**April 2, 2009**

“Thank you, Chairwoman Davis. I want to begin by thanking the distinguished members of our two panels. We look forward to hearing your testimony and working with you to fulfill our commitment to our American heroes who are missing in action or prisoners of war.

“At the outset I want to highlight some of the strategic themes outlined in the recent Personnel Accounting Community Strategy set out by the Defense Prisoner of War/Missing Personnel Office (DPMO). The first theme is also a national priority: We, as a government, seek the fullest possible accounting of those Americans who become missing while supporting U.S. national objectives. The second theme is that we—both the executive and legislative branches—serve the interests of the missing individual. Every man and woman whom we send in harm’s way in the service of the United States must be confident that this government will not leave them behind.

“When I look at what has been accomplished over the last three decades, I believe that America has met the mandates of those two themes for the 1,559 prisoners of war and personnel missing in action who have been identified from Vietnam, Korea, the Cold War, and World War II. However, we have neither fulfilled the requirements for the fullest possible accounting, nor made good on the requirement to serve the interests of the missing individual for the more than 84,000 people who remain unaccounted for from the four conflicts I cited above.

“Under current policies, organization and structure, manning and funding, the personnel accounting agencies of the Department of Defense have made, on average since 2000, 76 identifications per year. That number of annual identifications is not consistent with a national priority of achieving the fullest possible accounting.

“Furthermore, if we do not do something to significantly increase the numbers of annual identifications—say, for example, by a factor of three or four or five—time will soon preclude the Nation’s ability to fully account for those 84,000 still missing or prisoners of war.

“We must do more as a nation to better serve those who have gone in harm’s way with the implicit commitment by our government that we would not leave them behind.

“Before I close, I want to recognize a witness on the second panel – Ambassador Charles Ray, Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs. Ambassador Ray has served in his current capacity since September 2006 and will be returning to duties in the State Department. This will be the last time he appears before this subcommittee. I want to extend my thanks for his service to this nation and for the contributions he has made to the effort of fully accounting for our POWs and missing personnel.

“Madame Chairwoman, I am pleased that you are holding this hearing in an effort to seek ideas on how to improve the personnel accounting process. I join you in welcoming our witnesses and look forward to their testimony.”

**VETERANS OF FOREIGN WARS  
OF THE UNITED STATES**

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STATEMENT OF

MICHAEL H. WYSONG, DIRECTOR  
NATIONAL SECURITY & FOREIGN AFFAIRS  
VETERANS OF FOREIGN OF THE UNITED STATES

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL  
HOUSE ARMED SERVICES COMMITTEE  
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

**IMPROVING RECOVERY AND FULL ACCOUNTING  
OF POW/MIA PERSONNEL FROM ALL PAST CONFLICTS**

WASHINGTON, DC

APRIL 2, 2009

CHAIRWOMAN DAVIS, RANKING MEMBER WILSON, AND DISTINGUISHED  
MEMBERS OF THE COMMITTEE:

On behalf of the 2.2 million men and women of the Veterans of Foreign Wars of the U.S. (VFW), the nation's largest combat veterans' organization, I thank you for the opportunity to share our views on this most important issue of accounting for America's warriors who are missing in action and whose fate is still unknown.

The VFW has long been deeply committed to achieving the fullest possible accounting for all U.S. military personnel missing and unaccounted for from all of our nation's wars. So committed that we have traveled to Vietnam and other Southeast Asia countries every year since 1991 to meet with host country senior government officials and press upon them the need for their fullest cooperation to recover America's missing. And over the last five years we have expanded that senior government level dialog by annually traveling to the Peoples Republic of China and the Russian Federation. We communicate regularly with the Defense POW / Missing

Personnel Office and attend their update briefings. We also visit with Joint POW/MIA Accounting Command (JPAC) headquarters staff, detachment commanders, and recovery teams in the field. From personal experience, I can say that these teams are made up of highly motivated and dedicated military men and women, and civilian professionals who are doing a remarkable job under the harshest of conditions. They deserve the fullest support of this Congress, not only in the field, but in the identification laboratories as well.

My testimony will focus on the areas of funding and ways, in our view, to improve or increase the timeliness of the full accounting process.

#### **JPAC Funding**

First, I want to point out the current shortfall in funding for JPAC operations. It has come to our attention that once again JPAC has been shortchanged in their budget by \$2.35 million, which will translate into curtailing operations in Europe and canceling two recovery team missions. This is not the way the VFW expects the U.S. government to fund an American national priority. I said once again because in FY2006, JPAC faced a shortfall of \$3.6 million, which would have caused the cancellation and scaling back of many investigative and recovery operations. However, the VFW was able to mobilize key members of Congress and convince DOD to restore most of the funds so some of the operations were able to be reinstated and completed, although not all.

This points to a funding stream that flows from DOD, through the Navy and then from U.S. Pacific Command to JPAC, which puts their mission in competition with war fighting priorities when spending must be adjusted or reduced. Furthermore, when agencies are called upon to cut their spending by a fixed percentage, and that figure trickles down to JPAC, it equates to a disproportional mandate for a command with a relatively small budget. The VFW calls on Congress to demonstrate their resolve to keep this issue as a high national priority by creating a fully funded dedicated line item appropriation for JPAC in the DOD budget, and exempting them from agency mandated cost saving reductions. JPAC's mission is unique and, in our view, will be able to operate more efficiently and effectively under a direct and dedicated funding stream.

**JPAC New Construction**

Another area that needs to be addressed is the new facility for JPAC. Currently, JPAC facilities are dispersed across five locations on the island of Oahu, consisting of 10 trailers and several temporary buildings. Congress has approved \$105 million for a 140,717 square foot facility that will triple its current lab size. Construction of the new facility, which was originally set for FY 2010, is now scheduled to begin in FY2011 with a completion in FY 2012. However, the Navy diverted construction monies to other priorities, which delayed the groundbreaking for a year.

This new facility is much needed and long overdue. The building will, for the first time, bring together all of the JPAC components into a single headquarters and would house state-of-the-art laboratories to speed up the identification process. It has come to our attention that a Navy Audit Team recently recommended reducing the size of the facility by 16,395 square feet. Such a reduction most likely will reduce laboratory space and have an adverse effect on identification efforts. This project is already underfunded at its original funding level due to inflationary costs as a result of the year delay.

If we truly believe in remaining resolute in our commitment to the goal of the fullest possible accounting of all U.S. military personnel from all of our nation's wars, then we need to ensure that JPAC is provided with the tools, funding and facilities needed to achieve that end. Therefore, we believe this project should continue to be fully funded and remain on the present groundbreaking schedule. The VFW recommends that the size of the new facility remain as originally designed and Congress appropriate the funding needed to account for inflationary costs as a result of the delay in the start of construction.

This new facility will increase JPAC's personnel accounting capabilities and improve JPAC's overall effectiveness.

Also, we are aware that some would like to see all JPAC facilities moved to the continental United States. We believe this move would be unwise, as over 90 percent of the investigative and recovery operations from all wars are in the Pacific region where JPAC is currently located and from where teams deploy.

**Armed Forces DNA Identification Laboratory**

Last November, I visited the Armed Forces DNA Identification Laboratory (AFDIL) in Rockville, Maryland. They do remarkable work there and support a variety of agencies, including JPAC, in a cost effective environment. This lab is essential to the JPAC Central Identification Lab in their process to identify recovered remains.

Now, the VFW doesn't advocate one way or the other on the Base Closure and Realignment Commission (BRAC) recommendations approved by Congress. However, we are concerned when the BRAC process threatens to significantly delay the identification process and family notifications. That possibility is looming on the horizon as critical and timely decisions concerning facility and funding issues have yet to be made for the AFDILs BRAC move to Dover AFB, Delaware. The VFW asks Congress to look into this matter and extract from DOD how this process is moving forward in a manner that will provide adequate facilities and minimize the delay in DNA analysis for the identification of America's missing.

**U.S. – Russia Joint Commission on POW/MIA Affairs**

The U.S. – Russia Joint Commission on POW/MIA Affairs was established in 1992 at the Presidential level to serve as a forum through which both nations can seek to determine the fate of their missing servicemen. The objectives are to determine whether American servicemen are being held against their will on the territory of the former Soviet Union, and, if so, to secure their immediate release and repatriation; to locate and return to the United States the remains of any deceased American servicemen interred in the former Soviet Union; and ascertain the facts regarding American servicemen who were not repatriated and whose fate remains unresolved. Unfortunately, the Russian President in 2005 reorganized the structure of its side of the commission, which has halted progress of the commission's work and restricted U.S. access to Russia's archives that hold many answers.

Commission members include two U.S. Senators and two U.S. Representatives representing both political parties. The House Democrat Commissioner post has remained vacant since January 2006. This sends a message to the Russian government that this body is not interested in the

workings of the Commission. While at the same time, the VFW is trying to convince the Russian government to reestablish the Commission at the Presidential level. VFW national leaders have traveled to Russia annually over the past five years. They meet with ministers and deputy ministers of Defense and Foreign Affairs, as well as senior government officials of the Administration in an effort to impress upon them the importance of this humanitarian mission and the Commissions' work. We need your help. You must convince Speaker of the House Pelosi to appoint a qualified Member of the House to actively serve as the Democrat Commissioner.

Also, as the President works to "reboot" the U.S. relationship with Russia, the VFW asks Congress to encourage him to raise the importance of the Commission and insist that Russia elevate their side of the Commission back to the Presidential level and move forward with greater cooperation on the agreed upon objectives.

#### **Bilateral Talks with North Korea**

In May 2005, the U.S. government suspended Joint Field Activity (JFA) recovery efforts in the Democratic People's Republic of Korea (DPRK), due to safety concerns for the Joint POW/MIA Accounting Command (JPAC) JFA teams, and suspended bilateral talks with DPRK government officials. Previously, those teams conducted 33 Joint Field Activities consisting of investigative and recovery operations in North Korea resulting in the repatriation of 208 remains and the identification of 24 service members.

Recently North Korea has been removed from the State Sponsors of Terrorism list, thereby creating an opportunity for renewed bilateral talks with DPRK officials concerning investigative and recovery operations. Consequently, the VFW believes it is time to reestablish bilateral talks between the U.S. and DPRK in order to restore Joint Field Activities in North Korea and account for Americans still missing from the Korean War.

**Conclusion**

In closing, I want to thank you, Madam Chair and all members of the committee for your interest, oversight, and support of America's national priority of accounting for our missing servicemembers. Your continued support will help to bring closure to the families of the missing who have been waiting so long for answers about their loved ones. You also send a powerful message to those who serve in harm's way today, that they will not be left behind; that this nation will do all in its power to find and return them to their family.

Thank you for the opportunity to provide the views of the Veterans of Foreign Wars of the United States. I look forward to your questions.

**The Veterans of Foreign Wars of the United States is not in receipt  
of any Federal grants or contracts**

**Michael H. Wysong, Director  
National Security and Foreign Affairs  
Veterans of Foreign Wars of the U. S.**

Michael H. Wysong was appointed the Director, National Security and Foreign Affairs for the Veterans of Foreign Wars of the United States in May 2005, and as such, is responsible for representing and promoting VFW interests, views, and goals before various U.S. government policymakers, elected officials, congressional committees, federal agencies, other veterans groups, and military/defense coalitions. He works closely with all branches of the armed services and the Departments of Defense, State and Homeland Security. The Director, in coordination with the VFW National Security Committee, Military Affairs Committee, and POW/MIA Subcommittee, develops the strategy and implements the National Security and Foreign Affairs program.

A native of New Jersey, Mr. Wysong enlisted in the Air Force in 1967 and served seven years on active duty as an aircraft weapons technician. His assignments included tours in Korea, Vietnam, and Thailand.

He entered the Air Force Reserve in 1974 and was assigned to McGuire Air Force Base, New Jersey. He held the position of Aircraft Loadmaster Superintendent where he managed a department with over 50 reservists and civilians employees, responsible for training, evaluating and ensuring the wartime mission ready posture of all assigned personnel. He further served as a Flight Instructor and Flight Examiner Loadmaster on the C-141 aircraft.

As an aircrew member, he has amassed more than 8,800 flying hours and has participated in such operations as the Vietnam Babylift, the Evacuation of Vietnam, the Grenada rescue operation, and Operation Just Cause, the invasion and liberation of Panama. In 1990 he was recalled to active duty for 11 months in support of Operations Desert Shield and Desert Storm, and served in Operation Iraqi Freedom in 2003. Mr. Wysong retired from the Air Force Reserve in 2005, after 38 years of total service, with the rank of Chief Master Sergeant.

His many decorations include the Meritorious Service Medal with 5 oak leaf clusters; the Air Medal; the Aerial Achievement Medal with 1 oak leaf cluster; the Air Force Commendation Medal with 2 oak leaf clusters; the Air Force Achievement Medal; the Armed Forces Expeditionary Medal with 3 campaign stars; the Korean Defense Service Medal; the Vietnam Service Medal with 8 campaign stars; the Southwest Asia Service Medal with 3 campaign stars; and the Global War on Terrorism Service Medal. In 1993, he was selected as one of the U.S. Air Force Twelve Outstanding Airman of the Year.

Mr. Wysong was employed by the Department of the Air Force from 1975 – 2005 as an Air Reserve Technician, a federal civil service position with duties comparable to his Air Force Reserve assignment, retiring in 2005.

He joined the VFW in 1978 at Post 9503 in Bayville, New Jersey where he maintains his Life Membership. Since that time he has served in a variety of leadership positions throughout the VFW at every organizational level, including All American Post Commander in 1983-1984 and District Commander in 1986-1987. He has held many VFW committee assignments at the state and national levels. Before assuming his present position he served as National Chairman of the VFW Political Action Committee, New Jersey VFW State Legislative Director, and as a member of the VFW National Legislative Committee. Appointed by the Governor, he served on the New Jersey Veterans Service Council for six years before coming to Washington, DC.

He is a member of many civic and fraternal organizations, including the American Legion, Air Force Association, and Air Force Sergeants Association.

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

**Witness name:** Michael H. Wysong

**Capacity in which appearing:** (check one)

Individual

Representative

**If appearing in a representative capacity, name of the company, association or other entity being represented:** Veterans of Foreign Wars

**FISCAL YEAR 2009**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	—	—	—

**FISCAL YEAR 2008**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	—	—	—

FISCAL YEAR 2007

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
∅	—	—	—

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): ∅ ;  
 Fiscal year 2008: ∅ ;  
 Fiscal year 2007: ∅ ;

Federal agencies with which federal contracts are held:

Current fiscal year (2009): ∅ ;  
 Fiscal year 2008: ∅ ;  
 Fiscal year 2007: ∅ ;

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): ∅ ;  
 Fiscal year 2008: ∅ ;  
 Fiscal year 2007: ∅ ;

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): ∅ ;  
 Fiscal year 2008: ∅ ;  
 Fiscal year 2007: ∅ ;

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

Federal agencies with which federal grants are held:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

Aggregate dollar value of federal grants held:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

**STATEMENT OF  
PHILIP D. RILEY, DIRECTOR  
NATIONAL SECURITY / FOREIGN RELATIONS DIVISION  
THE AMERICAN LEGION  
BEFORE THE HOUSE COMMITTEE ON ARMED SERVICES  
SUBCOMMITTEE ON MILITARY PERSONNEL  
UNITED STATES HOUSE OF REPRESENTATIVES  
ON  
IMPROVING RECOVERY AND FULL ACCOUNTING OF  
POW/MIA PERSONNEL FROM ALL PAST CONFLICTS**

April 2, 2009

On behalf of The American Legion, thank you for the opportunity to participate in this important hearing which will examine ways to improve the recovery and accounting for Prisoners of War (POW) and those service members who are Missing in Action (MIA) from all past conflicts.

At the outset, it should be noted that The American Legion's definition of what would constitute the fullest possible accounting of our POWs and MIAs is:

1. The turning over of live prisoners;
2. The expeditious repatriation of the remains of those who were killed in action or who died in captivity; or
3. The provision of valid, conclusive evidence as to why neither of those is possible.

It is the recommendation of The American Legion that a workable, logical definition of "fullest possible accounting" should be adopted so that there is agreement on the ultimate goal toward which we should be working. Many tens of thousands of Americans are reported as "Missing in Action" or "Killed in Action/Body Not Recovered" from World War II, the Korean War, the Cold War and the war in Southeast Asia. We recognize that thousands, especially from World War II, are unrecoverable and considered buried at sea.

The families of these POWs and MIAs still suffer untold grief and uncertainty due to the lack of any accurate accounting in spite of the heroic efforts of US search teams that continue to improve. Some reports, the Bill Dumas film "Missing, Presumed Dead: The Search for America's POWs" for example, indicate that some of these Americans could be alive in the former enemy areas.

It appears that certain information from these areas has been deliberately and cruelly withheld from their families. The American Legion is convinced for example, that American POWs were detained by Vietnam after Operation Homecoming in 1973, and there is sufficient evidence to believe that there is still a possibility of American POWs being held in Indochina today. Clearly, there is more Vietnam could do, especially on last-known-alive cases, including such personnel in areas of Laos and Cambodia controlled by Vietnamese forces during the War. Specific locations of alleged remains of US servicemen have now been identified by the US Government. The American Legion believes US Government POW/MIA operations are still inadequate, and

America's normalization of relations with Vietnam has not achieved substantially greater progress. The American Legion urges the President of the United States of America and every member of the US Congress to speak out on every occasion to expedite the return of those US servicemen still missing and unaccounted for from the Vietnam War.

The American Legion believes the following priority actions should be taken by the US Government:

- Continue to provide sufficient personnel and resources so that investigative efforts of World War II, Cold War, Vietnam, and Korean War POW/MIA situations can be broadened and accelerated.
- Continue to provide necessary resources so field operations can be conducted at a maximum rate of activity with more timely follow-up of live sighting reports.
- Continue to declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to public review.
- Initiate or strengthen joint commissions with Russia, the People's Republic of China, and Democratic People's Republic of Korea to increase POW/MIA recovery efforts.
- Establish a joint standing congressional committee on POW/MIA affairs to ensure continued action by the executive branch in addressing the POW/MIA issue.

#### **Personnel and Funding**

The American Legion has long been deeply committed to achieving the fullest possible accounting for US personnel still held captive, missing and unaccounted for from all of our nation's wars. The level of personnel and funding for the Joint POW/MIA Accounting Command (JPAC) has not been increased at a level commensurate with the expanded requirement to obtain answers on Americans unaccounted for from wars and conflicts prior to the Vietnam War. It is the responsibility of the US Government to account as fully as possible for America's missing veterans, including – if confirmed deceased – the recovery of their remains when possible. The US Congress has a duty and obligation to appropriate funds necessary for all government agencies involved in carrying out strategies, programs and operations to solve this issue and obtain answers for the POW/MIA families and our nation's veterans. This accounting effort should not be considered complete until all reasonable actions have been taken to achieve the fullest possible accounting. The American Legion calls on Congress to provide increases in personnel and full funding for the efforts of JPAC, the Defense POW/Missing Personnel Office (DPMO), the Life Sciences Equipment Laboratory, and the Armed Forces DNA Laboratory, including specific authorization to augment assigned personnel when additional assets and resources are necessary. The American Legion remains steadfast in our commitment to the goal of achieving the fullest possible accounting for all US military and designated civilian personnel missing from our nation's wars.

JPAC was forced to reduce field operations in pursuit of missing US personnel in early 2006 due

to a failure of the Defense Department to provide adequate funding. The mission of JPAC has been expanded by Congress to include investigation and recovery operations dating back to and including unaccounted for WWII personnel, while funding levels have not increased to meet this requirement. The headquarters currently utilized by JPAC is no longer capable of housing the expanded command nor the expanded laboratory requirements for forensic identifications. The American Legion calls on the Congress to ensure that JPAC has at least \$62 million per year in operation funds and an additional \$64 million per year for FY 2010 through FY 2011 for JPAC military construction funds as part of the budget for the Department of Defense in connection with JPAC. The American Legion calls on the Congress to ensure that such funds be approved and restricted for use for no purpose other than those included in the mission statement of the Joint POW/MIA Accounting Command, Hickam AFB, Hawaii.

The American Legion commends Admiral Timothy Keating, Commander, US Pacific Command, for his commitment to seek US Navy funding in the amount of \$105 million to begin construction of a new JPAC headquarters, including a state-of-the-art laboratory in FY 2010, to be completed in FY 2011. Furthermore, The American Legion urges the US Congress to fully fund this US Navy military construction project to ensure that those who serve our nation – past, present, and future – are returned and accounted for as fully as possible.

DPMO is the lead Department of Defense agency responsible for policy and oversight for personnel accountability for military and designated civilians. As previously stated, The American Legion believes US Government POW/MIA and personnel accountability operations are still inadequate, and that appropriations have not been sufficient to fund research and development for new or improved personnel accountability programs. The American Legion urges Congress to designate and provide adequate and appropriate funding for DPMO for their current and future mission to ensure the accountability for our Nation's servicemen and servicewomen.

Since formation of DPMO in 1992, there has been a marked decrease in interagency coordination and cooperation on POW/MIA accounting matters. The American Legion urges the President and the Congress, to call upon the National Security Council, Department of Defense and Department of State to reenergize interagency coordination in support of criteria for unilateral actions of the full recovery and accounting mission.

#### **North Korea**

The American Legion recognizes the progress in bilateral discussions with North Korea, also known as the Democratic People's Republic of Korea (DPRK) on strategic issues; and The American Legion recognizes the lead time required between renewing bilateral discussions and restoring actual operations. That being said, The American Legion supports renewing direct bilateral humanitarian talks with the DPRK regime for the sole purpose of restoring the processes required to account for these unreturned Korean War Veterans.

#### **Vietnam**

The Socialist Republic of Vietnam (SRV) government has consistently pledged to provide the US with POW/MIA-related documents and records that could help account for America's unreturned veterans still missing from the Vietnam War. However, the SRV continues to

withhold documents assessed by US experts to be readily available. The American Legion calls on the US government to encourage the SRV's leadership to deliver archival records and documents in relation to POW/MIA issues to the US government prior to the President's visit to Hanoi. Also we ask that significant unilateral actions regarding POW/MIA issues by the SRV continue to be priority objectives in efforts to obtain the fullest possible accounting for US personnel still missing from the Vietnam War; and calls on the President and the Secretaries of State and Defense to ensure that the need for unilateral responsiveness on archival records and repatriation of remains is consistently and accurately conveyed to counterpart Vietnamese officials at every level and opportunity.

The Bush Administration's annual determination to Congress assessing the level of Vietnam's cooperation, including that of 7 March 2008, defined unilateral steps needed to increase results regarding humanitarian cooperation to achieve the fullest possible accounting for Americans still missing from the Vietnam War. In this regard, The American Legion calls on the US Government to encourage the SRV's Prime Minister Nguyen Tan Dung and other Vietnamese leaders to immediately authorize subordinates in all ministries to locate and make available records related to Americans still missing and unaccounted for from the war including case-specific records on US personnel lost in areas of Laos and Cambodia controlled during wartime by Vietnamese forces. Also, The American Legion calls on these leaders to immediately authorize their subordinates to locate and make available remains and/or evidence of Americans last known alive in captivity or in immediate proximity to capture by Vietnamese forces – if no longer living – that have not yet been returned and cannot be recovered by joint teams in the field.

#### **Underwater Recovery**

The American Legion calls on the President, the Secretaries of State and Defense and the PACOM Commander to seek immediate implementation of the agreement reached with the SRV for using a US Navy vessel to conduct humanitarian survey, investigation and recovery operations along Vietnam's coastline; The American Legion calls on the Government of the SRV to honor its commitment and agree to schedule a US Navy vessel in its territorial waters for the purpose of conducting humanitarian actions that could help account for Americans lost in the war.

#### **The Montagnards and Hmong Hill People**

The American Legion recognizes the comradeship and loyalty of the ethnic minorities of Vietnam to include, Montagnards and Hmong hill people, whose assistance was invaluable during the Vietnam War. Members of The American Legion have a special concern for maintaining peace with freedom and recognize the need to protect Human Rights for these former wartime allies.

The American Legion urges the President and the Congress to support legislation and policies that will compel the SRV to meet the international standards of Human Rights. In addition, The American Legion believes that the ethnic and religious minorities within the country of Vietnam should be afforded those protections and rights to live and worship in peace without threat of imprisonment or retribution from their government.

**US-Russia Joint Commission**

The American Legion has confidence in the mission, ability, commitment and unique expertise of the staff of the US-Russia Joint Commission (USRJC) on POW/MIAs, known as JCSD (Joint Commission Support Directorate). The American Legion calls on Russian President Dmitry Medvedev and Russian Prime Minister Vladimir Putin to increase the priority within and responsiveness of their government on the humanitarian mission pursued by the US-Russia Joint Commission on POW/MIA Affairs. The American Legion urges the leaders of Congress to act immediately to name one qualified Democratic member of the House and one qualified Democratic member of the Senate to serve as Commissioners to pursue the important interests and objectives of the POW/MIA families and our nation's veterans. The American Legion calls on the leadership of the House and Senate to ensure that its representatives on the US-Joint Commission on POW/MIA Affairs are able to serve actively as US Commissioners in pursuing the important interests and objectives of the POW/MIA families and our nation's veterans. The American Legion calls on the leadership of the Commonwealth of Independent States to increase the responsiveness of their governments in the humanitarian mission pursued by the Joint Commission. The American Legion urges Congress to provide the necessary and adequate funding needed for the Commission to pursue its mission for full accountability of all our country's service members.

**Conclusion**

The American Legion thanks the Chairman and the Committee for having this hearing and for listening to the views of The American Legion. We are happy to answer questions the Committee may have.

## CURRICULUM VITAE

NAME: Philip D. Riley  
 RANK: Colonel, USA Retired  
 CURRENT POSITION: Director of National Security and Foreign Relations Commissions  
 The American Legion (National Staff)

Philip D. Riley is originally from Dedham, Massachusetts. He graduated from The United States Military Academy in June, 1966, and was commissioned as a Second Lieutenant into the Armor Branch. In twenty seven years of commissioned service, he served extensively overseas, to include two tours in Vietnam, two tours in Germany, one tour in Kenya on the US Country Team, and one tour in New Zealand as the US-NZ Staff Exchange Officer. He commanded from platoon through battalion level, which included commanding the 3<sup>rd</sup> Battalion 66<sup>th</sup> Armor Regiment, an Abrams M1 Tank Battalion in the 2<sup>nd</sup> Armored Division from 1983-86. After graduating from the National War College with Joint Staff Qualification, Colonel Riley served as joint staff action officer within EUCOM and CENTCOM Branch, J3, JCS Current Operations Division, leaving the Branch as its Chief in May of 1990. Thereafter, Colonel Riley was posted to the US Embassy as the Department of Defense Representative to Kenya until his retirement from active duty.

Retiring in May 1993, Colonel Riley became the Superintendent of New York Military Academy (Private Coed Grades 5-12) from 1993-1997. Thereafter Phil moved to become Headmaster of a neighboring private school, The Storm King School (coed Grades 9-12 and post-graduate) from 1997-2004 and located in Cornwall on Hudson, NY. In the summer of 2004, he signed on with the SEED School Foundation to teach eighth and ninth grade science in The SEED Residential Public Charter School in Anacostia, District of Columbia. In June 2006, he was selected to become a veterans' advocate for The American Legion. After representing many veterans before the Board of Veterans Appeals and both the US Army and the US Air Force Military Review Boards, Phil was selected to serve in his current position as Director of National Security and Foreign Relations on the National Staff of The American Legion.

Colonel Riley has been awarded, among other awards, the Silver Star, two awards of the Defense Superior Service Medal, The Legion of Merit, two Bronze Stars, The Purple Heart and nineteen awards of The Air Medal. Phil earned a Bachelor of Science Degree from USMA, an MBA from Long Island University, and a Masters Degree in Teaching from UNC, Chapel Hill and holds State Certification and Certificate of Advance Studies in Education Administration from SUNY, New Paltz, NY. In athletics, Phil played Division I College Ice Hockey at USMA. He coached ice hockey at high school and college levels while he was teaching psychology and leadership to cadets at West Point.

Colonel Riley and his wife, Geré Coakley Riley, a native of Alexandria, VA, have four grown children and three grand children, all also residing in Alexandria.

03/27/2009

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

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Witness name: Philip D. Riley

Capacity in which appearing: (check one)

Individual

Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: The American Legion

FISCAL YEAR 2009

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
None			

FISCAL YEAR 2008

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
None			

**FISCAL YEAR 2007**

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
<i>None</i>			

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information: *None*

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
 Fiscal year 2007: \_\_\_\_\_.

Federal agencies with which federal contracts are held:

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
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List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

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Aggregate dollar value of federal contracts held:

Current fiscal year (2009): \_\_\_\_\_;  
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List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): \_\_\_\_\_;  
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Fiscal year 2007: \_\_\_\_\_;

Aggregate dollar value of federal grants held:

Current fiscal year (2009): \_\_\_\_\_;  
Fiscal year 2008: \_\_\_\_\_;  
Fiscal year 2007: \_\_\_\_\_;

*Philip D. Kelly*  
03/26/09

**DISCLOSURE FORM FOR WITNESSES  
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**Witness name:** Philip D. Riley

**Capacity in which appearing:** (check one)

Individual

Representative

**If appearing in a representative capacity, name the company, association or other entity being represented:** The American Legion

**FISCAL YEAR 2009**

Federal grant(s) / contracts  
None

**FISCAL YEAR 2008**

Federal grant(s) / contracts  
None

**FISCAL YEAR 2007**

Federal grant(s) / contracts  
None

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the required information: None

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the required information: None

**Statement of Ann Mills Griffiths  
Executive Director  
National League of POW/MIA Families  
House Armed Services Subcommittee on Personnel  
April 2, 2009**

Thank you, Madame Chairwoman, for the opportunity to appear before the Committee to represent the Vietnam War POW/MIA families. As executive director of our nonprofit, humanitarian organization for over 30 years, I have appeared many times and recognize the importance of brevity. Thus, I'll focus solely on the structural and resources questions, despite having just returned from yet another mission to Vietnam, Laos and Cambodia for discussions with senior leaders in all three countries and, in Laos, observing complex field operations requiring extraordinary capabilities, flexibility and host-country cooperation. In the near future, we hope a hearing will be held to shed light on the professionalism of our people and willingness of foreign governments to meet reasonable expectations concerning the shared objective of all here today, accounting for US personnel – military and civilian – still missing from our nation's past wars and conflicts. In view of time restraints, I'll hit a few priorities only briefly, and ask that my full statement be submitted for the record.

**REGARDING CENTRALIZED CONTROL:** There have been proposals to merge the operational elements, including the Joint POW/MIA Accounting Command (JPAC) and its forensic identification laboratory, under the Defense POW/Missing Personnel Office (DPMO). Over the years since the League was formally incorporated on May 28, 1970, we have experienced much reorganization, and this concept would be particularly destructive to mission effectiveness at this time. It is critical to ensure and sustain the accounting process as a system of checks and balances. A system that recognizes the tremendous variation in environments, both geographically and in complexity, is best implemented as close to the challenges as possible.

The operational commands located in Southeast Asia are at their most effective level yet seen, reaffirmed on my just-completed trip to the region. While functioning under DPMO's broad policy guidance and JPAC's command structure, the operational detachments are able to react quickly to challenges, interface effectively with host country officials and coordinate the various operational activities without constantly seeking guidance. DPMO is in no position to function effectively operationally, and bringing them into operations would not only encroach on traditional command prerogatives of PACOM, but lead to micro-management and injurious interference with effective implementation of national accounting policy. Far removed from operational frontlines, DPMO is ill-equipped by skill sets, time zones and institutional placement to handle the numerous daily requirements faced by JPAC headquarters, their dispersed operational detachments and the lab's unique identification challenges. We would vigorously oppose movement toward more centralization under DPMO.

Consolidation advocates fail to recognize intended mission differences between DPMO and JPAC, the former being policy and oversight, the latter being implementation and operations. Operational components utilized for war-fighting are not co-located with policy-makers or those exercising oversight, nor are those tasking intelligence requirements and analyzing the product of collectors routinely co-located, and with good reason. Such proposals also fail to consider today's electronic communication capabilities. The system of checks and balances applied to national, international and homeland security matters should also be adequate for establishing policy guidance and exercising oversight on efforts to account as fully as possible for veterans unreturned from our nation's past wars. DPMO should seek to ensure the most effective national policies are established, access and cooperation from foreign governments are in place, and operational budgets are sufficient to fund expanded requirements, thereby setting a positive environment for the operational professionals to succeed in obtaining stated goals and objectives.

**ARCHIVAL RESEARCH:** The League supports the independent pursuit and analysis of all forms of information collection, whether foreign archival documents, interviews with knowledgeable sources – foreign and domestic – or research of domestic archives for relevant data overlooked or misplaced in earlier years. The League opposes centralized collection and analysis due to the potential of being influenced for political reasons. In this

communications era, sharing of data collected is readily available. Electronic means are the primary communication link between offices housed in the same building, much less the same metropolitan area. We have seen that proximity does not assure communication or coordination.

Since we do not support theories of conspiracy and cover-up by the US government, we believe the primary focus of archival research should be on gaining information from foreign sources and records in countries where US personnel are missing, except perhaps to further define the scope of remains recovery potential on WWII losses. The Defense Intelligence Agency's POW/MIA specialists, known as the Stony Beach Team and JPAC's investigation teams are operating in countries relevant to the Vietnam War. DPMO's Joint Commission Support Directorate (JCSD) specialists are placed to pursue information in countries that previously comprised the former Soviet Union. However, for the last several years, high level US and Russian government involvement and backing have been absent. Worldwide, there are should be standing collection requirements on accounting-related matters, as there were in earlier years, handled by country team assets in missions abroad.

Analytic directorates in DPMO and JPAC should pursue different, but complimentary strategies unique to each past war. Both should have separate, but coordinated strategic archival research plans and objectives for each war that enhance the accounting process to facilitate results. DPMO's focus should be on the larger questions. These include the degree to which foreign governments should be able to provide relevant data, such as order of battle, record-repository locations and access issues. JPAC's focus should primarily be case-specific. While staying in their respective lanes, DPMO and JPAC analysts should communicate and coordinate to identify potential sources and task requirements for follow-up in-country by Stony Beach and JPAC investigation specialists.

#### **STRUCTURAL CHANGES FOR THE JPAC:**

We have learned from prior restructuring decisions that pulling assets and resources away from the primary area of operations is harmful, rather than helpful, to the accounting effort, especially where access and cooperation are problematic. PAC's detachments, Stony Beach and JCSD-Moscow visibly demonstrate the benefits – and the potential – of placement inside the target countries where answers are or may be available, or as close to those countries as can be arranged. Proximity helps retain focus on the mission and protects against loss of assets and resources to other priorities and allows frequently needed tactical decision-making in real time. Proximity also reduces costs in terms of travel and personnel time away from headquarters responsibilities. This includes forensic identification of remains of unreturned veterans, \_\_\_ % of which are recovered in U.S. Pacific Command's area of operations.

The League does not currently support additional forward operating detachments or offices in countries where the US has embassies and personnel in place to assist as needed. There are three very effective JPAC Detachments (Thailand/Cambodia, Vietnam and Laos) and one DPMO forward operating base, JCSD-Moscow. With the exception of JPAC Detachment 1 in Bangkok, Thailand, 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 most Asian and 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 in place, JPAC is working globally and successfully to obtain answers, and we see no current need for additional forward operating bases.

We strongly oppose proposals to alter the priorities of JPAC's laboratory, to separate it from headquarters or to move its location to the mainland. This proposal seems to be looking longer term at the lab's potential as first responder in national and international crises and disasters, rather than the lab's intended priority of POW/MIA accounting through remains recovery and identification. Our nation is capable of doing what is needed for both missions without destruction of our critical accounting mission.

JPAC's laboratory is a key operational element, one that bookends all that JPAC accomplishes in the field. Archival research and analysis determine the locations to which survey and investigation teams deploy to collect

relevant data on which coordinated decisions are reached for excavations involving the lab. If these complex JPAC operations are successful in recovering remains, the results end up in their lab for forensic analysis and identification. There is frequent electronic coordination throughout that often lengthy process between JPAC's J2 and DPMO's RA, with input from JPAC and Stony Beach investigation specialists, LSEL and subsequently AFDIL scientists, often using mtDNA. The entire process is enhanced by the checks and balances inherent with interagency funding streams and command structures. That's a good thing, requiring consensus that hopefully leads to answers for the families.

Recruitment of entry-level forensic anthropologists and professional historians has occasionally been a challenge due to a variety of factors, including the market demand for experienced personnel at much higher salaries than is possible within the government service structure and lack of internal upward mobility for senior anthropologists. However, JPAC's lab is highly respected throughout the forensic science community as one of the few, as well as the best known and largest training ground in which to gain experience, while receiving an appropriate salary and the security of knowing the work is steady, dependable and worthwhile.

Staff time lost to travel and travel-related expenses would not be reduced by moving JPAC or its laboratory 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 PACOM AOR would increase, rather than decrease, travel and related costs.

The League fully supports additional personnel and funding to increase JPAC's level of operations for all wars, whether investigations or remains recovery and identification. It is incumbent upon DPMO to define specific requirements to expand operations and advocate budget increases to their own Department of Defense leadership and all the Military Services. Increased JPAC funding can expedite accounting results and should be advocated now! We also support the concept of satellite forensic laboratories to focus solely on identification of previously recovered remains awaiting processing, so long as such labs are under JPAC command and control. Once POW/MIA accounting objectives are met, it would be logical to transfer attention to a major role in meeting requirements that might arise from national and international crises.

#### **OUTREACH FOR FAMILY REFERENCE SAMPLES:**

The League supports an enhanced centralized program with stated strategic goals to more assertively pursue Family Reference Samples, with supervision and authority residing outside JPAC's lab, possibly in DPMO. 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. We believe the implementation priority should be established by DPMO in consultation with JPAC, but should allow for priority interruption based on identification requirements of JPAC's forensic anthropologists.

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

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.)

**FENCED BUDGETS FOR POWMIA ACCOUNTING:**

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, DoD and Service leaders and other interested parties to ensure funding requirements are adequate and fully met. Though an inherent DPMO responsibility, there was, until recently, inadequate attention to ensuring the funding streams for all operational elements were intact; thus there were deficiencies that caused serious cutbacks in processing by the Armed Forces DNA Identification Laboratory (AFDIL) 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 are separately funded elements of the accounting effort that extend far beyond JPAC's investigation, 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. Funding for JPAC's laboratory initially came from the Army due to its designation as the executive agent for mortuary affairs, handling all services. This was inherited through the years as agencies and organizations were expanded to meet increasing requirements.

Air Force funding of the Life Science Equipment Laboratory (LSEL) 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 dedicated to a specific support mission, namely analysis of life support materials that sheds light on aircrew incidents. LSEL's diverse experience base and its collection of historical artifacts and aircrew-related materials remain 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 served in the past signals today's military personnel and the entire world that America stands behind those who serve and if captured or missing, we don't give up and walk away, that we are serious about obtaining answers.

DPMO currently receives DOD funding at fenced levels, including a specific number of dedicated personnel. Fencing action may also be necessary to ensure that funding and personnel levels are sustained and, if necessary, increased for JPAC, LSEL, AFDIL, the Service Casualty Offices and, importantly, the POW/MIA collection specialists in the Defense Intelligence Agency. It is crucial that this Subcommittee closely monitor the funding and personnel levels to ensure that the principles of accounting for US personnel, military and civilian, captured or missing in service to our country in time of war are sustained.

Despite the reality that the number of active family members is decreasing over time, due to both advancing age and successful accounting efforts, 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, we know that those volunteering to serve today know the level of commitment that this issue has, or has not, enjoyed.

Thank you, and I look forward to your questions.

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: Ann Mills Griffiths

Capacity in which appearing: (check one)

Individual

Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: National League of Families of American Prisoners and Missing in Southeast Asia

FISCAL YEAR 2009

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	—	—	—

FISCAL YEAR 2008

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	—	—	—

FISCAL YEAR 2007

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
∅	—	—	—

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): ∅ \_\_\_\_\_;  
 Fiscal year 2008: ∅ \_\_\_\_\_;  
 Fiscal year 2007: ∅ \_\_\_\_\_.

Federal agencies with which federal contracts are held:

Current fiscal year (2009): ∅ \_\_\_\_\_;  
 Fiscal year 2008: ∅ \_\_\_\_\_;  
 Fiscal year 2007: ∅ \_\_\_\_\_.

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): ∅ \_\_\_\_\_;  
 Fiscal year 2008: ∅ \_\_\_\_\_;  
 Fiscal year 2007: ∅ \_\_\_\_\_.

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): ∅ \_\_\_\_\_;  
 Fiscal year 2008: ∅ \_\_\_\_\_;  
 Fiscal year 2007: ∅ \_\_\_\_\_.

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 .

Federal agencies with which federal grants are held:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 .

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 .

Aggregate dollar value of federal grants held:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 .



WWRM (WWII FAMILIES FOR THE RETURN OF THE MISSING)  
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 WINDHAM, ME 04062  
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#### INTRODUCTION

Mr. Chairman and Members of the Committee:

On behalf of the families and friends of over 78,000 World War II (WWII) service personnel still missing in action, I thank you for this opportunity to testify about "Improving Recovery and Full Accounting of POW/MIA Personnel from All Past Conflicts."

With my deepest sincerity, I want to tell you that I "wish" I was not here today. Not that I wish I had not lost a relative in WWII, for we are very proud of his service and ultimate sacrifice, nor does my "wish" to not be here stem from the fact that my Uncle is one of 78,000 MIAs from WWII. My wish comes from the FACT that family groups such as WWII Families for the Return of the Missing (WWRM) should not have to exist. All relatives and friends of all U.S. MIAs should be confident that their government is working in an objective, fair and determined manner to ensure the code of "no one left behind" is being adhered to with the utmost urgency and dedication. I think you for trying to make this so.

As a relative of a WWII MIA and a member of an family support group that over the past 7 years has worked with thousands of MIA family members and every U.S. Government agency involved in MIA/POW recovery, I kindly request that you consider the following four points;

First, the three government organizations primarily responsible for POW/MIA recovery; Defense Prisoner of War/Missing Personnel Office (DPMO), Joint POW/MIA Accounting Command (JPAC) and military service casualties offices are disjointed and do not effectively cooperate, often at times working against each other due to lack of a unity of command, "turf" wars and personality differences. While DPMO states they are the "portal" for all family members they do not have control over the individual records (service casualty holds these) nor do they control the research and recovery (a JPAC mission). A family member should not have to contact all three of these agencies individually just to receive a status on their case or the required records to conduct individual research.

Second, the entire process of MIA recovery is "politicized" by personnel within the U.S. Government agencies overseeing the research and recovery efforts as well as by individuals belonging to certain family support groups. These "alliances" are well known in the MIA recovery community but so far have effectively impeded all efforts to improve efficiency or equity.

Third, lack of Congressional oversight enables this inefficiency and politicization. The system is unable to correct itself. Too many people are too ingrained and their tentacles too long to allow effective and needed change. Ironically, some will justify the "lack" of a Congressional mandate as to why they can not conduct initial MIA site research in Asia or Europe but then use that same mandate to justify why they are returning to the same site in Vietnam for the 3<sup>rd</sup>, 5<sup>th</sup> or 8<sup>th</sup> time. Only Congressional oversight will ensure efficiency, equity and objectivity.

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Fourth, JPAC's manning and structure is inefficient. With an intelligence and research section of about 66 personnel, only 5 are assigned to WWII - one of who just resigned. Likewise, hundreds and hundreds of MIA remains go unidentified in the Lab due to shortages of forensic anthropologist. Not only is retention a problem in a place such as Hawaii, but there appears to be a problem with priority of effort. Forensic anthropologists are forced to split their time between field recoveries and lab identifications.

Every U.S. service member, past and present, lives by the code, "No one left behind." This code, is much more than a code - it is a promise and an obligation from our Government to those that have paid the ultimate price. We owe it to every service member and every family member - regardless of conflict to uphold this code. I ask you to please remember, this code, this promise, this obligation - has no expiration date.

Thank you.

Lisa Phillips  
President  
WWII Families for the return of the Missing

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Witness name: Lisa Phillips

Capacity in which appearing: (check one)

- Individual  
 Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: WWRM (WWII Families for the Return of the Missing)  
 FISCAL YEAR 2009

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	Ø	Ø	Ø

FISCAL YEAR 2008

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	Ø	Ø	Ø

**FISCAL YEAR 2007**

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	Ø	Ø	Ø

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Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): Ø \_\_\_\_\_;  
 Fiscal year 2008: Ø \_\_\_\_\_;  
 Fiscal year 2007: Ø \_\_\_\_\_;

Federal agencies with which federal contracts are held:

Current fiscal year (2009): Ø \_\_\_\_\_;  
 Fiscal year 2008: Ø \_\_\_\_\_;  
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List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): Ø \_\_\_\_\_;  
 Fiscal year 2008: Ø \_\_\_\_\_;  
 Fiscal year 2007: Ø \_\_\_\_\_;

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): Ø \_\_\_\_\_;  
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Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_;

Aggregate dollar value of federal grants held:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_;

Statement of  
 Lynn O'Shea – Director of Research  
 National Alliance of Families  
 For the Return of America's Missing Servicemen  
 World War II – Cold War – Korea – Vietnam – Gulf Wars

I would like to thank the Committee for providing the National Alliance of Families for the Return of America's Missing Servicemen the opportunity to address our concerns on Improving Recovery and Full Accounting of our POWs and MIAs from all past conflicts.

Some addressing the committee today will speak of the need for additional resources including an increase in qualified personnel to speed the recovery and identification process for World War II, Korea and Cold War losses. We echo their request and call for an increase in funding to speed the recovery and identification of remains recovered from all Wars.

Today, we would like to address a specific aspect of the accounting effort. **In far too many cases fate determinations have been made in spite of evidence of wartime survival. These premature and often erroneous determinations of fate were reached by dismissing evidence once deemed creditable, result in JPAC, with DPMO concurrence, searching for individuals at their loss location in spite of evidence the individuals were moved or being moved to another location.** The accounting community should objectively investigate, not ignore or summarily dismiss evidence that is contrary to its long-held, but clearly tenuous conclusions.

Now, we are hearing another method of accounting may be considered. This new method would allow the removal of a serviceman from the list of unaccounted for based on an analytical review, rather than the physical recovery of the individual, alive or dead. It was these same types of analytical reviews allowed an individual with evidence of capture and survival, to be considered lost at his incident site, thus resulting in searches with little chance of success.

We would object to this new method of accounting most strenuously. More importantly it sends the wrong message to the governments of Southeast Asia, China, North Korea, and the former Soviet Union. Why would they provide information on men the U.S. government no longer considers unaccounted for? It also sends a similar message to our present day enemies that U.S. service men and women lost in a combat situation would have their fate decided by an analyst thousands of miles away and not by someone in the field with real time knowledge.

**As part of the accounting effort the National Alliance of Families, fully supports H.Res 111 calling for a formation of a Select Committee on POW/MIA Affairs in the House of Representatives.** We are aware of concerns expressed by some that the previous Senate committee took resources away from recovery and identification efforts. The white paper submitted with our testimony clear shows that recovery and identification efforts were ongoing and robust and in no way affected by the workings of the Senate Committee.

When the Senate Select Committee on POW/MIA Affairs issued its final report, in 1993, they recommended their work be ongoing. That recommendation was not carried out. Unfortunately, this committee simply does not have the investigative staff or resources to continue and expand the work begun by the Senate Committee.

Among the leads yet to be fully examined are the numerous sightings of U.S. servicemen in the camps and prisons of the former Soviet Union. No less a figure than the commanding general of Soviet forces operating on the Korean Peninsula during the war years (Georgi Lobov) spoke of the transfer of U.S. POWs from North Korea to Moscow. Acknowledgements of such transfers have come from former U.S. and Soviet officials and defectors as well. Added to all of this are reports that a USAF pilot, Major Samuel Busch, a Cold War loss whose sister resides in Congressman Murphy's district, was seen alive on Soviet soil after his aircraft was shot down in June 1952. All of this suggests that much more effort --genuine and unrelenting -- needs to be made before we can say that we have accounted for our missing servicemen.

As recently as 2005 the Joint Commission Support Directorate, the investigative arm of the U.S. Russian Joint POW/MIA Commission concluded in the 5<sup>th</sup> Edition of their Gulag Study; "Americans, including American servicemen, were imprisoned in the former Soviet Union."

**Past administrations have failed to apply the investigative and diplomatic resources needed to obtain answers to basic questions such as the following:**

- 1) **What happened to the Americans, many listed by name, who were known to be alive and in North Korean prisoner camps but never returned?**
- 2) What does North Korea know about the men whose identification cards, and other information about them, have been displayed in Pyongyang's Korean War Museum?
- 3) Did North Korea receive U.S. prisoners, or information about U.S. prisoners, from Vietnam during or after the Vietnam War?
- 4) Who are the imprisoned "U.S. POWs" reported by North Korean escapees and other sources years after the war and who are the living "war criminals" or "survivors from the war" referenced by North Korean officials in recent years?
- 5) What does North Korea know about reported shipments of U.S. POWs from Korea to China and the Soviet Union?

Two examples are quite telling. In 2003, the People's Republic of China-- following 50 years of North Korean and Chinese denials-- conceded to DoD representatives that it had secretly shipped an American serviceman to China during the Korean War and lied about his fate afterwards. Beijing now claimed it had buried Army Sgt. Richard Desautels in Shenyang in 1953 but "lost" his body. The Chinese also admitted possessing a 9-10 page "classified" report on Sgt. Desautels. Despite this startling information, there is no public evidence that in the years since the Pentagon obtained the "classified" Chinese report, verified the potentially-questionable claim of Sgt. Desautels' death in 1953, or used the Chinese admission to develop information on other Americans who were reported by U.S. intelligence in China during the war but never returned.

The "Green Dragon Rescue Operation" presents another chilling example. On May 24<sup>th</sup>, 1953, the U.S. military attempted to rescue an American bomber crew downed in January. Radio contact was established with 1LT Gilbert Ashley. The rescuers had also obtained evidence that Ashley's fellow crewmen Airman 2nd Class Hidemaro Ishida, 1LT Arthur R. Olsen, 2LT John P. Shaddick and 1LT Harold P. Turner were alive in enemy hands. The rescue turned out to be an ambush and the crewmen could not be recovered, but U.S. intelligence maintained contact with the crew through their captors and received detailed reports on their captivity from a defector.

"Ashley and four crew members, (Turner, Olsen, Shaddick, and Ishida) were known to be alive in Communist hands as of the close of the Korean conflict, Jul 53," reported a previously classified U.S. Air Intelligence Report. Despite this clear and detailed information, the U.S. Government has failed to make accounting for this crew a priority with the North Korean government.

A new House Select Committee, as part of the accounting process, must include the POWs who survived their loss incident, were in some form of captivity for an undetermined period of time, and might possibly be alive today. As we see with the number of South Korean soldier, captured during the Korean War, escaping North Korea, survival for American's is not beyond the realm of possibility. Differentiating between the known defectors in North Korea one former analyst with the Defense POW Missing Personnel Office wrote in 1996 "A second, larger group of Americans is comprised of US service members, most likely POWs from the Korean War and possibly Vietnam War era. There have been numerous reports of both American and British POWs in North Korea."

We recognize the difficulty in getting access and answers from North Korea. However, we believe a through review of contemporaneous U.S. documents relating to Korean and Cold War losses, under the direction of a House Select Committee will provide valuable information and new leads on the fate of many unaccounted for servicemen. Unfortunately, the Senate Committee on POW/MIA Affairs limited by its charter and time was unable to accomplish such a review for Korea and Cold War losses. This is yet another reason we need H.Res 111.

Search, recovery and identification efforts are important, but searching for men at loss locations when contemporaneous documents indicate the men were captured, will not lead to their recovery. When these recovery operations fail as they will, remains are then declared unrecoverable. This is not accounting it is fiction.

DPMO, in one case involving four soldiers, maintains the four were ambushed and killed. They cite a report of "20 - 30 rounds of small arms fire" to support their conclusion.

The facts, however, do not support the DPMO analytical review. Multiple documents including the unit's duty log, statements of witnesses before a Board of Inquiry, and letters from the U.S. Army to the families of the missing men, all state the gunshots heard involved another squad and did not relate to this incident. In a letter to the wife of one of the men, Col. C.A. Stanfiel, acting Adjutant General of the Army stated:

"Weapons fire was heard in the area; however, the firing involved a squad of men in an area other than where the second sampan was last seen."

These documents have not swayed DPMO from their determination that the four were ambushed and killed.

Additionally, a CIA report citing information from two sources reported the 4 men as captured. DPMO dismissed the report as "hearsay."

This brings us to the "Tourison Memos," discovered during archival research in March of 2006. These memos were written by Sedgwick D. Tourison during his tenure as an investigator with the Senate Select Committee on POW/MIA Affairs. In one memo dated August 1, 1992, **Tourison, a former senior analyst with the Defense Intelligence Agency, wrote;**

**"My review of POW/MIA case files disclosed DIA/JTFFA message traffic referring to individuals DoD now has information survived into captivity."**

"Survived into captivity", there is no ambiguity in those words. Among the servicemen named are the four soldiers previously mentioned, soldiers DPMO continues to insist were ambushed and immediately killed. If JPAC continues to look for these men at their loss location, they will never be found, unless the Vietnamese choose to return their remains to the site for recovery.

In an earlier memo dated July 22<sup>nd</sup> with the subject **"Vietnamese reports about U.S. POWs not previously known by the Defense Department"** Tourison reported "My review of JCRC [Joint Casualty Resolution Center, the forerunner of JPAC] casualty files has surfaced several messages which list a total of nine American servicemen Vietnam has acknowledged were captured alive..." The memo went on to say "This information has come from Vietnamese officials a piece at a time over the past two years. I suspect we will learn about more such cases as time goes on. While the precise fate of the nine is not clear, it appears likely they died in captivity in southern Vietnam and **this is the first admission from Vietnam that these nine were captured alive.**"

Named among the nine is Marine Cpl. Gregory J. Harris. In spite of the Vietnamese admission of capture, JPAC, with DPMO concurrence continues to look for Cpl. Harris at his loss location. He is considered "fate determined" and after several investigations at the loss location the chances for remains recovery is now rated as low. Of course they are low, the Vietnamese admitted capturing Harris. As with the previous case cited, his remains are not at the loss location and will only be found there if the Vietnamese choose to return them to the site.

**Unfortunately, none of the information contained in the Tourison Memos was ever provided to the families of the men name. Nor was this information mentioned in the final report of the Senate Select Committee on POW/MIA Affairs or included in the individuals' case files.**

DPMO has dismissed Tourison's memos, referring to them as his opinion. Yet one memo clearly states there were "a total of nine American servicemen Vietnam has acknowledged were captured alive." That is not opinion. It is a statement of fact. Tourison saw something in the files that allowed him to write the words "Vietnam has acknowledged were captured alive" and "survived into captivity."

With so many questions left unanswered or not addressed by the Senate Select Committee the families of our POWs and MIA have been forced to do their own research.

In another case, involving 8 individuals, three of whom were known to have perished in the loss incident, but with evidence of survival for as many as four others a family was forced to independently research Search and Rescue logs because the accounting community long denied the existence of any transmission evidence following the crash. After the family presented Search and Rescue logs, which detailed and attributed survival radio beacon signals to Baron-52 in the days following the crash, DPMO acknowledged knowing of the logs yet dismissed them as not relevant – despite the fact that the logs show conclusive evidence of communications which further supports the data and expert analysis strongly suggesting that some crew members survived, and that the decision to change their status from MIA to KIA was made against protocol and the contemporaneous evidence.

**"Today, Defense Department files contain evidence that at least 59 Americans were -- or may have been -- taken prisoner and their precise fate is still unclear. This includes the 20-30 not officially acknowledged by Vietnam in 1973. This represents the minimum number of possible live POWs today."**

Those are not my words. They are the words contained in an August 17<sup>th</sup> 1992 memo again written by Sedgwick Tourison based on a consensus of investigators assigned to the Senate Select Committee on POW/MIA Affairs. Found with the memo was a list naming the 59 Americans. Among those named are three of the four individuals DPMO continues to insist were ambushed and killed.

**Another very experienced intelligence analyst working for the Senate Committee described the results of his review of material held at the Defense Intelligence Agency saying: "There are over 40 guys who were/are POWs based on the evidence."**

Since the Senate committee closed its doors, much new information has surfaced, including a report referred to within DPMO as the "185 Report." In 1993 DPMO received a report that 185 American POWs had been held in Southeast Asia after 1973, possibly as late as 1976. The report was recognized as possibly credible. During the mid-1990's a Russian geologist was interviewed and reported that he was told in 1976 by Vietnamese counterparts that the Vietnamese Government at that time was holding live American POWs. The families of our unaccounted for servicemen have yet to be told what has been done to investigate that report.

**The Senate Committee in its final report concluded; "There is evidence; moreover, that indicates the possibility of survival, at least for a small number, after Operation Homecoming."**

**In 1996, an analyst with DPMO wrote; "There are too many live sighting reports, specifically observations of several Caucasians in a collective farm by Romanians and the North Korean defectors' eyewitness of Americans in DPRK to dismiss that there are no American POW's in North Korea."**

Isn't it time we find out what happened to these men, not by searching at their loss locations, or creative accounting methods but with an open congressional review of new information coupled with a review of information previous committees were unable to fully address due to time constraints.

#####  
Lynn O'Shea - serves as a volunteer with the National Alliance of Families as editor of the Alliance newsletter "Bits N Pieces," conducting both general and case specific research. On a number of occasions, this research has provided POW/MIA family members with new information on their cases. Ms. O'Shea has been with the Alliance since its inception, in 1990.

National Alliance of Families  
For the Return of America's Missing Servicemen  
World War II – Cold War – Korea – Vietnam – Gulf Wars

**Exhibit List**

**Exhibit 1.**

Battling the Misinformation Campaign Against H. Res 111

**Exhibit 2.**

Tourison Memo dated August 1, 1992 – Subject: "Vietnamese reports about U.S. POWs not previously known by the Defense Department"

**Exhibit 3.**

Tourison Memo dated July 22, 1992 – Subject: "Individuals Reported Died in Captivity and not listed on current DoD/Vessey/SSC priority lists."

**Exhibit 4.**

Seven Reasons Why We Need H.Res 111

**Exhibit 5.**

What the Documents Say -- Why We Need H.Res 111

**Exhibit 6.**

A. Statement of Christine LaFrate & Mary Ann Reitano, family of Cpl. Gregory J. Harris  
USMC POW 6/12/66

B. Statement of Ann Holland, wife of T/Sgt. Melvin A. Holland  
USAF POW/MIA 3/11/68

**Exhibit 7.**

White Paper - American POW/MIAs in North Korean Hands & Questions  
Pyongyang Must Answer

**Exhibit 8.**

White Paper - DPMO A Timeline of Failure

**Exhibit 1**

National Alliance of Families  
 For the Return of America's Missing Servicemen  
 World War II - Cold War - Korea - Vietnam - Gulf Wars

**Battling the Misinformation Against H.Res 111**

During the last session of Congress as we worked toward passage of H.Res 111, others worked toward its defeat. Using scare tactics and misinformation, they tried to convince members of congress that a Select Committee on POW/MIA Affairs would slowdown or halt ongoing remains recovery operations. The email below is one example of the misinformation that circulated. According to the email;

"WHEN THESE COMMITTEES CONVENE, THE ENTIRE SEARCH PROCESS GRINDS TO A HALT. All time is lost in the field and pushes the return to the issue as far back as two years. In the meantime, family members and fellow veterans continue to die, waiting for answers....."

**This is simply untrue!**

Anticipating another misinformation campaign, we submit the following, letting the documents speak for themselves.

The Senate Select Committee on POW/MIA Affairs existed from August 2, 1991 - January 13, 1993. These dates represent the date the legislation was passed to the date the Committee's final report was published. Actual hearings began in November 1991.

A quick count reveals that remains associated to 22 servicemen were returned and remains identified as 11 servicemen occurred within the life of the Senate Select Committee on POW/MIA Affairs. Of these cases three were recovered and identified within the life of the Senate Committee. Eliminating the duplication of three cases appearing on both the remains returned and remains identified lists, this represents overall activity on 30 cases, during the life of the Senate Select Committee. This figure DOES NOT include cases investigated during Field Activities in Vietnam, Laos and Cambodia.

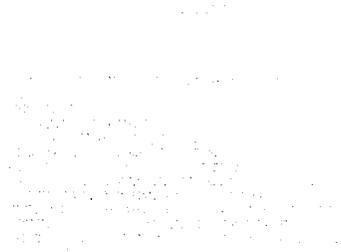
Field Activities continued in Vietnam, Laos and Cambodia all during the life of the Senate Select Committee on POW/MIA Affairs. But don't take our word for it. Let the documents speak for themselves.

What follows is a sampling of reports. The dates say it all. While this report is dated March 1993, it describes a Joint US/SRV teams crash site survey conducted "15 May 1992"

PAGE 02 RUHQSGC0643 UNCLAS  
 AHPN/ FIELD INVESTIGATION REPORT OF CASE 1761 (ASTON)//  
 RHKS/I. ON 15 MAY 92, A JOINT US/SRV TEAM SURVEYED A SUSPECTED  
 UH-1 CRASH SITE AT GRID COORDINATES YV6950585, IN QUANG NAM DANANG  
 PROVINCE, VIETNAM.



This document dated 13 June 1992 discusses planning for the 18th JFA in Vietnam, ongoing recovery operations in Laos and deployment of a JFA Team to Cambodia on June 7th 1992, with field operations starting June 12th.



There are many more documents, but this certainly proves field operations including recoveries continued all during the life of the Senate Select Committee on POW/MIA Affairs.

**They will continue with passage of H.Res 111.**

*Exhibit 2*MEMORANDUM

To: FAZ

From: Sedgwick D. Tourison, Jr.

Date: August 1, 1992

Subject: Individuals Reported Died in Captivity and not listed on current DoD/Vessey/SSC priority lists.

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My review of POW/MIA case files disclosed DIA/JTFPA message traffic referring to individuals DoD now has information survived into captivity. All are individuals in a missing category after Homecoming and all were later declared dead while missing. A list of the 13 case files involving these 19 individuals declared dead without the recovery of remains is attached (Tab A.) The remains of two of these individuals were repatriated in 1990 and identified. I do not recommend that any of the 17 other individuals be placed in a category of suspected live POWs as of today although one case, Lance Corporal Carlos Ashloch, must be of priority interest.

In my judgment, these cases get to the very heart of the complexity and nature of the war itself; that the Vietnam war, like many other conflicts, was not a tidy arrangement where the precise circumstances of death can always be established. These cases provide official Vietnamese acknowledgement for the first time that some American servicemen were taken captive and then died. Due to the nature of these situations, it may never be possible to establish precisely how death occurred although there is evidence that death occurred in captivity and during the war. The majority are South Vietnam cases which occurred in an area and at a time that survivors would have been moved to one of several well camps in the western portion of Central Vietnam. None were seen there and none were seen in North Vietnam, supporting the hypothesis that they did not survive for long in captivity.

I do not recommend that any of these be added as a compelling live POW case as of today and all are cases of active investigation in Vietnam; however, it appears they are not priority cases. The emergence of such cases raises questions regarding the JTF's flexibility in aggressively dealing with such cases in light of Washington level priorities for the Vessey/ISA cases.

A categorization of these cases is attached at Tab B and a synopsis of each case is attached at Tab C. I recommend the Defense Department be requested to explain how it intends to deal with such cases. I have a draft letter attached at Tab D.

APPENDIX 3

List of 19 new POW case.

<u>Case Number</u>	<u>Name</u>
0031	Richard L. Greer/Fred T. Schreckengost (Remains Returned)
0108	Richard C. Bram/John F. Dingwall
0124	Fredric M. Mellor
0158	Charles J. Scharf/Martin J. Massucci
0235	James T. Egan
0258	Donald S. Newton
0358	Gregory J. Harris
0641	John F. O'Grady
0646	Thomas A. Mangino, Paul A. Hasenbeck David M. Winters/Daniel R. Nidds
0647	Roger D. Hamilton
0678	Carlos Ashlock
0728	Robert L. Platt, Jr.
1402	John T. McDonnell

TAB A

Exhibit 3

MEMORANDUM

To: FAZ

From: Sedgwick D. Tourison, Jr.

Date: July 22, 1992

Subject: Vietnamese reports about U.S. POWs not previously known by the Defense Department.

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My review of JCRC casualty files has surfaced several messages which list a total of nine American servicemen Vietnam has acknowledged were captured alive, all of whom are listed by DoD as having been declared dead while missing. None are officially listed as ever having been a POW. This information has come from Vietnamese officials a piece at a time over the past two years. I suspect we will learn about more such cases as time goes on. While the precise fate of the nine is not clear, it appears likely they died in captivity in southern Vietnam and this is the first admission from Vietnam that these nine were captured alive. None was listed as having died in captivity at Operation Homecoming.

From my perspective, DIA/JTF/General Vessey had an ample opportunity during the hearings on 24-25 June to discuss these revelations and they did not. While the reasons for their avoiding the subject are unclear, two obvious explanation could be that (a) it would be irresponsible to discuss such information prior to investigating it fully, (b) they do not want to publically discuss active cases still under investigation, and (c) they may not believe Vietnamese assertions.

A fourth explanation is that the Administration is too embarrassed at this point to even want to have this information be made public. After all, it must be clear to the Administration that the Vessey/DOD-ISA "lists" have led to a relatively inflexible investigation schedule which is being directly controlled from Washington and with little seeming flexibility on the part of those on the ground to react to changing conditions. This is a direct repeat of the criticism levied at DoD/JCS/White House in its inept prosecution of the war two plus decades ago and it is evident that Viet Nam is well aware of these modalities and these new "POW" reports could well represent Viet Nam's own effort to tie up the Administration.

Attached is a list of those individuals I have been able to identify. I have not had the time to review their individual case files.

## Fred T. Schreckengost/Robert L. Greer (Case 0031)

Both individuals were declared missing on June 7, 1964. Schreckengost was declared killed in action while missing, body not recovered, in August 1974. During the recovery of their remains in 1990 Vietnamese officials acknowledged they had been captured alive and killed in captivity. The U.S. Marine Corps still does not list them as having died in captivity but to have died while in an MIA status.

## Donald S. Newton (Case 0258)

Sergeant Newton and PFC Francis D. Wills were both declared missing on February 6, 1966 while on patrol. Sergeant Newton was declared to have been killed in action while missing, body not recovered, in August 1974. Vietnam has now acknowledged that Sergeant Newton was captured alive and was taken to Hospital 102 of Military Region 5. His eventual fate has not yet been determined.

## Carlos Ashlock (Case 0678)

Corporal Ashlock was reported missing on May 12, 1967 and in September 1976 declared to have been killed in action while missing, body not recovered. Vietnam has now acknowledged that Corporal Ashlock was captured alive in Quang Ngai Province. His eventual fate has not yet been determined.

## Madison A. Strohlein (Case 1756)

Sergeant Strohlein was reported missing on June 22, 1971 and in October 1974 declared him to have been killed in action while missing, body not recovered. Vietnam has now acknowledged that Sergeant Strohlein was captured alive on June 22, 1971 in Quang Nam Province. His eventual fate has not yet been determined.

## James T. Egan, Jr. (Case 0235)

First Lieutenant Egan was reported missing on January 21, 1966 and in March 1978 was declared to have been killed in action while missing, body not recovered. Vietnam has now acknowledged that Lieutenant Egan was captured alive and has reported that he died in captivity in December 1968.

## Roger D. Hamilton (0647)

Lance Corporal Hamilton was reported missing on April 21, 1967 and in April 1978 was declared to have been killed in action while missing, body not recovered. Vietnam has now acknowledged that Lance Corporal Hamilton was captured alive in Military Region 5. His eventual fate has not yet been determined.

## Gregory J. Harris (0358)

Corporal Harris was reported missing on June 12, 1966 and in March 1980 was declared to have been killed in action, body not recovered. Vietnam has now acknowledged that Corporal Harris was captured alive. His eventual fate has not yet been determined.

Robert L. Platt, Jr. (0728)

Private First Class Platt was reported missing on June 10, 1967 and in March 1978 was declared to have been killed in action, body not recovered. Vietnam has now acknowledged that Private First Class Platt was captured alive on June 10, 1967. His eventual fate has not yet been determined.

## Exhibit 4

**The Top Seven Reasons We Need H. Res 111 calling for the formation of a House Select Committee on POW/MIA Affairs**

"To conduct a full investigation of all unresolved matters relating to any United States personnel unaccounted for from the Vietnam era, the Korean conflict, World War II, Cold War Missions, or Gulf War, including MIA's and POW's...." Among the "unresolved matters:"

1. **The Gulag Study 5<sup>th</sup> Edition issued Feb. 11, 2005** - compiled by the Joint Commission Support Directorate (JCSD), the investigative arm of the U.S./Russian Joint Commission on POW/MIAs, concluded; **"Americans, including American servicemen, were imprisoned in the former Soviet Union...."**
  2. **Failure to Investigate the "185 Report"** - In 1993, the Defense POW/MIA Office (DPMO) received a report that 185 American POWs had been held in Southeast Asia after 1973, possibly as late as 1976. The report was recognized as possibly credible. During the mid-1990's a Russian geologist was interviewed and reported that he was told in 1976 by Vietnamese counterparts that the Vietnamese Government at that time was holding live American POWs. Neither report has been properly investigated.
  3. **Failure to Authorize Live Sighting Investigations** and the attempt to limit Stony Beach activity. Reports of live POWs in Southeast Asia are not investigated.
  4. **Failure to Properly Investigate Reports of POWs in North Korea** - A Background Paper prepared, in 1996, by I.O. Lee, analyst Defense POW/MIA Office (DPMO) stated: **"There are too many live sighting reports, specifically observations of several Caucasians in a collective farm by Romanians and the North Korean defectors' eyewitness of Americans in DPRK to dismiss that there are no American POW's in North Korea."**
  5. **Failure to Properly Investigate the case of Capt. Michael Scott Speicher** - A well placed source provided the following information to the National Alliance of Families in the summer of 2003; "The one source that claimed to have been held with Speicher and fed him on a daily basis stated they had been held for 10 years in the underground prison; that individual was released and left Iraq. The individual that reported feeding the pilot was talking to an individual outside Iraq when he made the claim, and the U.S. side never interviewed him.... Don't be misled by those who would pooh pooh the Speicher reporting."
  6. **Failure to follow-up on the Conclusions and Recommendations of the Senate Select Committee on POW/MIA Affairs, January 1993** - "There is evidence, moreover, that indicates the possibility of survival, at least for a small number, after Operation Homecoming...."
- "Today, Defense Department files contain evidence that at least 59 Americans were – or may have been – taken prisoner and their precise fate is still unclear. This includes the 20-30 not officially acknowledged by Vietnam in 1973. This represents the minimum number of possible live POWs today.... U.S. field teams in Vietnam since 1989 have uncovered evidence that more Americans were in fact taken captive than officially recorded."** (Memo dated August 17, 1992, "The Universe of Possible POWs: 1973 versus 1992" by Sedgwick D. Tourison, investigator, for the Senate Select Committee on POW/MIA Affairs 1991 - 93.)

**Isn't it time we ask the next question – What happened to that "small number"?**

**Exhibit 5****Why We Need H. Res 111 calling for the formation of a House Select Committee on POW/MIA Affairs****What the Documents Have to Say:**

1. **Report from the Escape and Evasion Section of the 6004th Air Intelligence Service Squadron, Oct. 19, 1955** - "Ashley and four crew members, (Turner, Olsen, Shaddick, and Ishida) were known to be alive in Communist hands as of the close of the Korean conflict, Jul 53." What happened to these men?
2. "I am not certain that we have fully clarified everything. I know that quite a few documents were destroyed. However, one document, probably sensational, is still in storage. I have a copy of it. **Its content is as follows: at the end of the 1960s the KGB (external foreign intelligence) was given the task of "delivering informed Americans to the USSR for intelligence gathering purposes.** General Dmitri Volkogonov, Chairman Russian side of the U.S./Russian Joint Commission on POW/MIAs. **Would General Volkogonov made such a statement without.... evidence?**"
3. **Testimony of Avraham Shifrin before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, Committee on the Judiciary United States Senate, February 1, 1973** - "First I must ask you to excuse my English, because I cannot speak like you. **I learned my English in concentration camps and my first teachers were kidnapped American officers."**
4. **Dispatch No. 947 to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republic from American Embassy Moscow April 5, 1954** (note: on the document April is crossed out and May is handwritten in) - "The United States Government has recently received reports which support earlier indications that **American prisoners of war who had seen action in Korea have been transported to the Union of Soviet Socialist Republics and that they are now in Soviet custody."**
5. **Joint Casualty Resolution Center Message Traffic 282114Z Jan 92** - "The fact is an anthropologist with many years of experience rendered a professional opinion that **based on the condition of Lt. Mc Kinnies (sic) remains, he was alive subsequent to Operation Homecoming...."**
6. **Today, Defense Department files contain evidence that at least 59 Americans were – or may have been – taken prisoner and their precise fate is still unclear.** This includes the 20-30 not officially acknowledged by Vietnam in 1973. **This represents the minimum number of possible live POWs today.... U.S. field teams in Vietnam since 1989 have uncovered evidence that more Americans were in fact taken captive than officially recorded."** (Memo dated August 17, 1992, "The Universe of Possible POWs: 1973 versus 1992" by Sedgwick D. Tourison for the Senate Select Committee on POW/MIA Affairs 1991 - 93)
7. **"As of now, I can come to no other conclusion..." Former Secretary of Defense and CIA Director James Schlesinger before the Senate Select Committee on POW/MIA Affairs, when asked directly if the United States left men behind in Southeast Asia.**

**Support H.Res 111 – It's time for another look at the POW/MIA Issue!**

**Exhibit 6 A**

**Statement to the Military Personnel Subcommittee  
Hearings on POW/MIA Affairs, April 2, 2009 – Gregory J. Harris, USMC  
By Christine LaFrate and Mary Ann Reitano  
Primary and Secondary Next of Kin**

On behalf of the family of Marine Cpl. Gregory J. Harris, we submit this statement to the official record of said hearings and thank both the Subcommittee and the National Alliance of Families for the opportunity to share Greg's story with you. To quickly summarize the case of Cpl. Harris, in addition to the specifics included in this statement, it is imperative that the Subcommittee members be aware that, of the initial 2500+ listed as unaccounted for, Greg is part of the following very exclusive reported groups:

▶ **Project X (1975)** – *Greg is part of this list of 57 men.* "Project X is a study...to evaluate the possibility of any of the unaccounted for still being alive...There is a possibility that as many as 57 Americans could be alive..."

▶ **The 119 Discrepancy List (Vessey I - 1989 and Vessey II - 1991)** – *Greg was added to this list of 119 men in 1991.* Kenneth Quinn, the Chairman of the POW/MIA Interagency Group, testified before a Senate subcommittee in April, 1991 that this list, "...represent the greatest possibility that the men involved may still be alive... We had evidence that they were alive after the incident."

▶ **The Tourison Memos (I and II, 1992)** – *Greg is part of this total list of 19 men.* "This is the first admission from the Vietnamese that these men were captured alive...Vietnam has now acknowledged that Corporal Harris was captured alive... These cases provide official Vietnam acknowledgement for the first time that some American service men were taken captive..."

While on a South Vietnamese operation, Greg and three other USMC advisors were caught in an ambush which resulted in Greg being reportedly dragged into the jungle by two Viet Cong soldiers on June 12, 1966. DPMO's own attorney stated during the 2005 Annual Meetings that, "Any American serviceman known to be, even for a second, in the hands of the enemy is considered a POW." Yet, for decades we have argued endlessly with the DoD over this simple fact. While others here today focus solely on the operational and structural sides of the POW/MIA Issue, you will see a sidestepping of the internal DPMO policies toward the families on a case level. The sheer duplicity that hangs over this issue will, with few exceptions, go ignored. The individual stories of the families are what you all should be entitled to hear today.

Greg's case, as we have often said, is sadly, on the DPMO side, rife with convenience and no concern for the facts, logic or new findings. The path of least resistance reigns supreme. Two South Vietnamese Marines reported seeing Greg being dragged into the jungle but because they died before they could be questioned further their statements are glossed over and DPMO does not consider Greg a POW. Instead, they would like us to believe that Greg was only separated from his fellow advisors, made it from behind enemy lines to well behind friendly lines where he was killed behind friendly lines near a river by a lone Viet Cong soldier and the next morning floated down the river through narrow diversion dams and was buried on a sandbar all while US and South Vietnamese troops controlled the area. DPMO insists that, overtime, his remains have simply washed away and are unrecoverable. Yet the litany of uninvestigated leads, the testimony of highly *in*credible witnesses and our family's unrelenting research which has led to numerous previously undiscovered reports tell a much different tale. It would be of value to also mention that we have found other US officers who took part in the battle in June of 1966 and who insist that DPMO's tale of Greg being killed by the river was tactically impossible considering the troop movement that day. DPMO adamantly and repeatedly refuses to interview these men.

DPMO has attempted to discredit each and every piece of evidence that supports the capture of Gregory J. Harris. In fact, due to our own due diligence and research and investigation, we have added many relevant documents to Greg's case file. DPMO never felt it important to find the After Action Report from the operation in which Greg was captured nor the communication logs that give an exact timeline to events of that day. When these new reports are shared with DPMO, only the manipulation of information supporting their version of the incident is gleaned and included in the case summary which is then disseminated among other government agencies. Here, in chronological order, are some of the oddities of Greg's case in recent years.

In 1993 US researchers found one of Greg's dog tags on display in a Military Museum in DaNang. Along with the dog tag was a Vietnamese investigative report stating that the tag was taken off Greg's body 25 kilometers from his loss site. This finding has *never* been investigated. In December 2005 we submitted a FOIA request to JPAC that dealt with ancillary details of this dog tag. To date, that FOIA request has not been answered or fulfilled. Additionally, DPMO insists on only investigating Greg's case in the loss area, even though the enemy themselves have indicated otherwise both in the museum's report and in the Tourison Memos.

The 1992 Tourison Memos, discovered by the National Alliance of Families in 2006, specifically and unequivocally state that "Vietnam has know acknowledged Cpl. Harris was captured alive." Greg and a total of 18 others are also reported in such a fashion yet DPMO refuses to even consider these findings, instead they attempt to throw a veil of deception over the findings of a then senior DIA analyst.

In October, 2006 a new report was received by DPMO which, again, gave credence to Greg's capture. The commanding officer of the enemy unit that Greg and the South Vietnamese were fighting that day admitted in his 1996 memoirs that he and his men had captured an American that day. Greg being the only unaccounted for soldier from both the US and South Vietnamese sides, made the logical correlation of this captured American to Greg. The report considered these findings to be a firsthand report of Greg's capture. Thankfully, we do our own research and found this very report in the Library of Congress in March, 2007.

When provided with the opportunity to confront DPMO over this withheld document the case analyst referred to the information as hearsay there in person and in Greg's case summary report. When she realized that we had an actual copy of the firsthand report, she stated, "Well, it says firsthand, but it doesn't really mean firsthand" and even attempted to blame another DoD civilian employee for the fact that we never received this report through regular channels as stated by Law. She made this firsthand vs. hearsay analytical conclusion and when we asked if there were plans to interview this former Viet Cong officer we were told no with the rationale that he doesn't know anything. Yes, she, without any investigative supporting evidence, by reading the same report that we did, concluded that interviewing this man would not be worth the effort because it was her opinion that he knew nothing. When asked what it was going to take to get Greg's case off this sandbar theory, she adamantly said, "You're not!" This from the individual our nation has tasked with the responsibility for the full and accurate accounting of our loved one. This entire unpleasant meeting was in the presence of a Congressional aide from Congressman John M. McHugh's office which certainly embodies the demeanor of those in DPMO who consider themselves to be judge, jury and executioner. Following this meeting with our case analyst and several unannounced members of USMC Casualty and two DPMO liaisons, we filed a formal complaint with our analyst's superior only to find out that the analyst herself was tasked with responding to our complaint.

In closing, even with all that we have been through these past 43 years, we remain committed to finding the truth and returning Greg the soil he gave his life for. With the recent Presidential Orders regarding document release signed by President Obama, we are hopefully that the duplicity that we have known for far too long will transition into the transparency that President Obama seeks. We look forward to a day when DPMO can be seen as an ally rather than an obstacle. It is through this Subcommittee and the establishment of a House Select Committee on POW/MIA Affairs, with the passing of H. Res 111, that this transparency can become a reality.

**Exhibit 6 B**

March 16, 2009

**STATEMENT BY:  
ANN HOLLAND  
wife of T/Sgt Melvin A. Holland – POW/MIA 3/11/68**

As the wife of T/Sgt. Melvin A. Holland, missing 11 Mar 68 at Site 85, Phou Pha Thi, Laos, I fully support passage of H.Res 111.

When my husband was selected to volunteer for a secret assignment in September of 1967 I attended a briefing for the men and spouses at the Pentagon. Promises were made at that time by the men conducting the briefing: Col. Brojer, Col. Cornetti and Maj. Moore. First: We were assured the assignment was 100% safe, "we wouldn't be sending the men over there if we thought anything would happen to them." Second: If anything did happen to them we would be kept fully informed of any information that was acquired. Third: Every effort would be made to bring them home.

On March 11, 1968, the unthinkable happened. The hill was overrun by enemy forces, five of the technicians were rescued (one died on the helicopter), and 11 men were left behind. Two CIA operatives, one radio FAC and numerous indigenous personnel were also rescued. I was notified by telephone that my husband was missing and to not tell anyone. If it got out to the press, I could be causing my husbands' death. Lie # 1. The lies are continuing to this day. The cover-up is continuing to this day.

Since the last Senate Select Committee investigation more information has been discovered that the present task force in Wash. DC (DPMO) has failed to act on. Specifically, a report from 20 Jan 04 of "a very old man standing and walking in a bent over position" being held in a prison camp in the Sam Neua area of Laos. The sub-source offered to take photos of the prisoner. The report was discounted because it was "fourth hand information."

I offered to supply the camera for the photos. There has been no follow up on the information even though the location of the prison camp is very specific.

DPMO has withheld information from me regarding reports of possible prisoners. They withheld the decision to remove Refno 2052 from the Last Known Alive list from me. I learned of it by accident six months after the fact. They determined 40 years after the fact that all 11 men left behind in 1968 had died on that mountain during the attack. Yet, two years after the attack, three families were told that no one could account for their loved ones.

I was kept in limbo for two years and told to keep my mouth shut. Those men were never on any list until 1982! I was never assigned a "Casualty Officer". I had to depend on a voice in the Office of Special Plans for any information about my husband. I was never given any reports that may have surfaced...specifically a report from 1972 telling of a male Caucasian being taken prisoner to Ban Nakay. He was wearing glasses and had come from the radar base at Phou Pha Thi. My husband was the only man wearing glasses. No follow up was ever done on that report because there was no knowledge of anyone missing in that area.

That was first hand information. I never received a copy of that report until 1985 and only then through the Freedom of Information Act.

Fast forward to 2006. DPMO received a "transcript" from an individual that very graphically described the "death" of my husband. It was passed through four sets of hands before being sent to DPMO. I only learned of it by attending a family update meeting in Seattle in 2006. I asked that DPMO follow up on that transcript and locate the original source and verify by obtaining the tape of the survivor relating the incident. They have refused to do so. I have asked that they contact Cols. Brojer and Cornetti and ask them why I was lied to for two years about the fate of my husband. (I was told he could have survived and to keep my mouth shut.) They have refused. They have relied on reports that are 40 years old, dismissed facts that indicate survivors and capture of the missing men, and accept as truth anything that says they all died on March 11, 1968.

In 1968 the Air Force was so afraid of the loss of those men in Laos becoming public knowledge that they had to do damage control. They thought that by declaring the men dead that no one would learn of the incident. But they didn't tell the families the men were dead! They told us they were missing and to keep our mouths shut because we would be hurting our husbands if it became public knowledge!

The cover-up is continuing to this day. Reports of captured men are discounted as "unreliable" or "fourth hand information." I was 28 years old when told my husband was missing. I am now 69 years old. My husband would be 73 if still alive. He has sisters in their 80's and one 90 years old. It is time for the truth and time to bring him home.

**Exhibit 7****American POW/MIAs in North Korean Hands &  
Questions Pyongyang Must Answer**

June 30, 2008

This White Paper demonstrates Pyongyang's extensive knowledge of the fates of U.S. POW/MIAs, along with the possibility that American prisoners may still be alive in North Korea. It is intended as an overview and not a definitive source. During the war, North Korean, Chinese and Soviet officials all handled U.S. prisoners-of-war and information concerning them. This White Paper is focused on North Korea and the Americans captured and processed on its territory; it touches only briefly upon the reported shipments of U.S. prisoners from North Korea to China and the Soviet Union. However, evidence suggests North Korea can shed considerable light on those shipments.

This document is based on declassified U.S. government intelligence reports; other government records; testimonies; interviews; and research trips to North Korea and Russia. Source documentation and supporting information, including video of four persons claiming live sightings of suspected American prisoners in North Korea years after the war, are available to qualified requestors. This White Paper has been prepared on behalf of the National Alliance of Families for the Return of America's Missing Servicemen (NAF).

NAF believes North Korea must be required to answer the following questions, among others:

- 1) Who are the imprisoned "U.S. POWs" reported by North Korean escapees and other sources years after the war and who are the living "war criminals" or "survivors from the war" referenced by North Korean officials in recent years?
- 2) What happened to the Americans who were known to be alive and in North Korean prisoner camps but never returned?
- 3) What does North Korea know about reported shipments of U.S. POWs from Korea to China and the Soviet Union? [including Sgt. Richard Desautels - in June 2008 the Pentagon admitted that Beijing, following 50 years of North Korean and Chinese denials, had in 2003 admitted removing him from Korea. As of today, China claims Desautels died in Shenyang in 1953 but his remains cannot be found and additional information about him is "classified." There is no public indication the U.S. government has asked North Korea for information on Sgt. Desautels following these revelations. Please see more below.]?
- 4) What does North Korea know about the men whose identification cards, and other information about them, have been displayed in Pyongyang's Korean War Museum?
- 5) Did North Korea receive U.S. prisoners, or information about U.S. prisoners, from Vietnam during or after the Vietnam War?
- 6) According to a Pentagon report, North Korea has stored the remains of 100 American servicemen - many, many more are known to be buried in North Korea. When will North Korea provide the U.S. with the remains it is holding and allow full recovery operations to return the rest?

As of 12/10/2008, 10/10/2008



**Lt. Gilbert Ashley and 4 Crewmen Were "Known  
to Be Alive in Communist Hands As of the Close  
of the Korean Conflict," According to U.S.  
Intelligence in 1955**

## Numbers

The updated numbers below are from a briefing by the Pentagon's Defense Prisoner of War/Missing Personnel Office (DPMO) to NAF on June 20, 2008.

Total POW/MIA: 8,056 U.S. servicemen plus seven U.S. civilians

Of the Total, Seen Killed on the Battlefield and Body Not Recovered: 1,783

Of the Total, Died as POWs or Prisoners Last Seen Mortally Ill: 2,036

Of the Total, Non-Battle Deaths and Body Not Recovered: 98

Of the Total, "MIAs" – Men Not Reported Dead But Never Returned: 4,139 [NAF comment: This includes many men seen being captured or reported in communist captivity; men who were undoubtedly killed on the battlefield and whose remains are in North Korea; others killed whose remains were destroyed or not recoverable; and those who simply "disappeared."]

## History

The Korean War (June 25, 1950 to July 27, 1953) was fought between the United Nations, represented predominantly by the United States and Republic of Korea (South Korea), and the communist side, the Democratic People's Republic of Korea (North Korea) and People's Republic of China (communist China), with substantial logistical and air combat support from the Soviet Union.

During the war, POW camps were initially run by the North Koreans and then taken over in large part by the Chinese; the Soviets also remained involved with the POWs throughout the conflict. American officials tracked those captured by the communists via radio broadcasts made from POW camps, letters and petitions, intelligence reports and eyewitness accounts from fellow troops who saw their colleagues captured. Numerous U.S. intelligence reports also indicated U.S. POWs were being moved from North Korea into camps in China and that some were also being shipped to the Soviet Union. In 1952, Soviet leader Josef Stalin and Chinese Foreign Minister Chou En-lai discussed retaining 20 percent of the U.N. prisoners.<sup>3</sup> Intelligence reports during and after the war reported that hundreds of Americans had been held in Chinese and Soviet camps from which no POW ever returned. (In June 2008, DPMO stated: "We have also been unable to verify definitively the reports we have received regarding possible transfers or the ultimate fate of any possible candidates for transfer to other countries such as the former Soviet Union.")

The final period of the Korean War was fought largely over the POW issue. Many prisoners captured by the U.S. had been forced to fight for the communists and did not want to be sent back. The communist side wanted them and demanded an "all-for-all" exchange. The U.N. insisted that prisoners have the right to decide where they wanted to go, a position that ultimately triumphed. However, when the war ended in an armistice (there is no peace treaty to this day) and the prisoners were exchanged, both sides claimed the other had withheld POWs. Many U.S. officials – from senior commanders to intelligence analysts – believed U.S. prisoners had been held back for their technical skills, espionage purposes or use as political bargaining chips. "We learned the Chinese and North Koreans... had refused to return all the prisoners they captured. Why the Reds refused to return all our captured personnel we could only guess. I think one reason was that they wanted to hold the prisoners as hostages for future bargaining with us," said General Mark Clark, commander of U.N. forces. Especially frustrating were the cases of Americans known by name to have been held by the communists but never returned. In September 1953, the U.N. demanded an accounting for 3,404 troops, including 944 Americans (a list later reduced by subsequent intelligence and graves registration work to 389) believed to have been in communist hands but never returned. According to the U.N., these men: "(1) Spoke or were referred to in broadcasts by your radio stations. (2) Were listed by you as being captives. (3) Wrote letters from your camps. (4) Were seen in your prisons." Despite pressure from the U.N., the communists refused to provide any information on most of these men. The scant data provided was in most cases clearly bogus – in 1956, the communists stated Sgt. Desautels (see below) had "escaped." They made the same claim about Capt. Harry Moreland, a double amputee when he was last seen in communist captivity.

By 1955, the U.S. government, at least in private, had concluded that existing policy options would prove unable to force a full accounting. The Chinese had revealed they had been holding secretly a small group of Korean War aviators as "war criminals." They, and two CIA officers captured in China, were eventually released. But as for a full accounting, a (then) classified Pentagon memo concluded: "The problem becomes almost a philosophical one. If we are 'at war,' cold, hot or otherwise, casualties and losses must be expected and perhaps we must learn to live with this sort of thing. If we are in for fifty years of peripheral 'fire fights' we may be forced to adopt a rather cynical attitude on this (the POWs) for the political reasons."<sup>4</sup>

Submitted by the National Alliance of Families For the Return of Americas Missing Servicemen

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Intelligence efforts wound down during the mid-and-late 1950s and much of the information on missing Americans was sent to the vaults, where it remained classified into the 1990s and beyond.

However, for the public at least, Korean War POW/MIAs remained a major issue. In 1957, a "Sense of the Congress" resolution stated that an accounting and/or return of U.S. POW/MIAs from Korea should be "a primary objective of the foreign policy of the United States." From time-to-time, the issue received renewed attention: in the early 1990s, (then) Senator Bob Smith pushed for answers and was told by the North Korean Vice Foreign Minister: "The Chinese manned the American POW camps in Korea and the Chinese guards took them across the border into China during and at the end of the war;" in 1993, Pentagon investigators concluded U.S. prisoners were shipped from North Korea to the Soviet Union; in 1996, a Pentagon analyst reported "there are too many live sighting reports...to dismiss that there are no American POWs in North Korea" (see the "DPMO Analyst I.O.Lee report" at [http://www.dpmo.mil/pressroom/010196/010196a.htm](#));<sup>5</sup> and in 1997 the Associated Press reported a North Korean official had acknowledged "survivors of the war" in his country but the Clinton Administration declined to follow up.<sup>6</sup> The escape of ROK (South Korean) POWs, America's brothers-in-arms during the Korean War, from the North in recent years has also raised the issue. As with the Americans, U.S. intelligence officials believed many ROK troops had been held back, yet they were ultimately declared dead. But as security levels in North Korea have deteriorated in recent years, these men have started to escape and return to their homeland very much alive and South Korea now estimates as many as 500 may still be imprisoned in North Korea.

Despite all this, in recent years the Pentagon and State Department have downplayed the Korean POW/MIA issue, especially regarding Americans captured alive but never returned. Instead they have focused the issue on U.S. remains in North Korea, launching limited trips from 1996-2005 to recover remains -- trips for which the North Koreans have reportedly demanded substantial payment. Reports of Americans still alive in North Korea have been classified, "analyzed" for years, and eventually dismissed because they "could not be corroborated" or the witness' story was inconsistent. NAF believes these dead-ends occur in many cases because there is no way for U.S. investigators to follow up effectively without North Korean cooperation. For example, North Korean escapees have told NAF they have the names of officials and prisoners who have POW information, but as far as NAF can tell, the U.S. government cannot or will not follow up in North Korea.

The Bush Administration also elected not to make POW/MIA accounting an issue in the "Six-Party Talks" which have led to the most recent concessions to North Korea. In contrast, Japan did focus its efforts on uncovering the truth about its citizens believed to have been abducted by North Korea for intelligence purposes. After years of stonewalling, starting in 2002 North Korea admitted it had indeed abducted Japanese citizens and eventually returned five of them. Japan continues to press for additional information. Tragically, this has created a situation in which the U.S. government has made accounting for Japanese civilians a higher priority than resolving the fates of American GIs. On June 26, President Bush announced he was dropping North Korea from "Trading with the Enemy" status and moving to remove Pyongyang from the list of State Sponsors of Terrorism. The President declared: "The other thing I want to assure our friends in Japan is that this process will not leave behind -- leave them behind on the abduction issue. The United States takes the abduction issue very seriously. We expect the North Koreans to solve this issue in a positive way for the Japanese... And it is important for the Japanese people to know that the United States will not abandon our strong ally and friend when it comes to helping resolve that issue." The President made no mention of the U.S. POW/MIAs.

#### **American Prisoners For Whom North Korea Should Account**

There are literally scores of Americans who are believed to have been in enemy hands during the Korean War, were not known to have died in captivity and never returned -- and this does not count the much larger number of men who simply "disappeared" in the North (and may have been candidates for the shipments to China and the Soviet Union discussed above). Here are just a few of the cases for which North Korea should be pressed for answers:

##### **1) Crew of the B-29 in the "Green Dragon Rescue Operation"**

This crew's bomber was downed on Jan. 29, 1953. On May 24<sup>th</sup>, the U.S. military attempted a rescue operation in North Korea, during which radio contact was established with 1LT Gilbert Ashley. The rescuers had also obtained evidence that Ashley's fellow crewmen Airman 2nd Class Hidemaro Ishida, 1LT Arthur R. Olsen, 2LT John P. Shaddick and 1LT Harold P. Turner were alive in enemy hands. The rescue turned out to be an ambush and the crewmen could not be recovered. "Ashley and four crew members, (Turner, Olsen, Shaddick, and Ishida) were known to be alive in Communist hands as of the close of the Korean conflict, Jul 53," reported a previously classified U.S. Air Intelligence Report from Oct. 19, 1955.

(It is unclear what information the U.S. possessed indicating their survival in enemy hands from the attempted rescue in May to the end of the war in July.)

- 2) Other Americans Reported Held But Never Returned (selected cases from declassified U.S. military records, does not include cases where pilots were last seen alive on the ground; quoted sections below are from declassified U.S. documents)

ALLEN, Jack V.: On the "Neilsen-Henderson" (sometimes spelled: Nielsen-Henderson) list maintained by U.S. intelligence of U.S. Air Force personnel reported to be in Kaesong (North Korea) awaiting repatriation but not returned at the end of the war, multiple other names on this list.

ANDERSON, Robert E.: "Information received from USAF repatriate indicates that Lt. Anderson is a PW."

BRENNAN, John C. "He was listed as awaiting repatriation in Kaesong (Sep 53), on the Neilsen-Henderson list." The repatriated pilot of his aircraft believed some of his crewmen, who did not return, had been captured due to E&E equipment he saw and questions he was asked by communist interrogators.

GLASSER, Gerald W.: "Sixty-six returnees reported the subject was a prisoner. The statements indicated that he was in Prison Camp No. 1. In the Spring of 1953 he was taken away in a jeep by Chinese officers," according to declassified U.S. military records.

HAWKINS, Luther R.: Reported held in POW Camp #2. On the Neilsen-Henderson list.

KEENE, Kassel M.: "The Source stated subject was sentenced to 21 1/2 years for assaulting a fellow prisoner. He was sentenced in July 53. According to the sentence he was not to be effected by repatriation." (note sentence for this offense is 2 Y2 years in Patton case below; "21 Y2" in this file may be a typo in the intelligence report)

LOGAN, Sam: Pilot of a B-29, he was held in Pyongyang in 1950. A Soviet news agency published a picture of him and stated he was a prisoner.

MARTIN, Robert L.: "He was last seen in Apr 53 at Pyoktong Camp #2 Hq. His condition was fair." "He was sentenced to one year for hitting an interrogator." "Listed as not likely to return." (from U.S. intelligence reports)

MOORE, John G.: "The subject was witnessed alive as POW by repatriated personnel."

MORELAND, Harry D.: Captured in 1952 and seen by other U.S. prisoners. By November 1952, both his legs had been amputated. The North Koreans and Chinese later claimed he had "escaped."

PATTON, George W.: "The pilot was sentenced to two and one-half years for assaulting a fellow prisoner. The sentence was in Jul 53. This sentence was not to be affected by repatriation."

SPATH, Charles R.: U.S. Intelligence reported this fighter pilot had been captured. He is believed to have been the focus of a rescue attempt similar to "Green Dragon" in which he was confirmed alive on the ground and under enemy control in May 1952.

WALKER, Archie: Captured in August 1950. In 1951, the communists broadcast messages to the mothers of U.S. POWs being held; PVT Walker's mother, Vergie Walker, received a message. The communists later said they had "no data" on Walker.

### **The War Museum**

In late 1996, the author of this report visited the "Victorious Fatherland Liberation War Museum" in Pyongyang, North Korea. At the museum, the North Koreans displayed the identification cards of the following MIAs for whom they have never accounted

- 1) Air Force 2LT. Richard Rosenvall
- 2) Air Force 2LT. Gerard Cyr
- 3) Army PFC Elmer V. Wing
- 4) Air Force 2LT Dewey Stopa (on the "Green Dragon" crew - see above; apparently captured separately from those involved in the rescue attempt and reported to have died in a North Korean prison)

### Selected Cases Where Family Members Demand an Accounting



Sgt. Lewis W. Sowles: Wounded during fierce fighting between the U.S. 2<sup>nd</sup> Infantry Division and Chinese forces on Nov. 30, 1950. He went missing near Kuma-ri, North Korea. Many other Americans, included Sgt. Desautels, disappeared from this area.

Sgt. Philip Mandra: Awarded Silver Star for bravery in battle in July 1952, disappeared on Bronco Hill with four other Marines on August 7, 1952. The men were wounded due to concussion grenades thrown by Chinese forces. When U.S. forces retook the position minutes later, the men were gone. A Russian colonel later reported seeing Sgt. Mandra in the Soviet Union. Irene Mandra, Sgt. Mandra's sister, has never given up the effort to determine his fate.



#### The Desautels Case

For more than a decade, NAF pressed the U.S. government to demand an accounting for Sgt. Richard G. Desautels, captured December 1, 1950 and reported in communist captivity by 19 fellow American prisoners who returned at the end of the war. According to these reports, Desautels had been taken into Manchuria (China) after his capture, contrary to claims by North Korea and China that no American prisoners were taken from North Korea. While in Manchuria, he worked on trucks and learned the Chinese language. Months later he was placed back in a POW camp in North Korea, where he angered the Chinese guards by interpreting for the other Americans.

In 1953, shortly before the end of the war, Desautels told his fellow GIs that he was going to be taken back to Manchuria. "When we were repatriated, I saw him. He was taken away 'cause he could speak Chinese, so they took him out of the camp. They said he was a rumor spreader and blamed everything that went on in camp on him," said one of his fellow Americans. Another returned American said: "The above mentioned POW was taken into China... He returned to Camp No. 5 in March 1952, at that time he mentioned if he should disappear to make inquiries concerning his whereabouts with the proper military authorities."

In 1956, pressed on the cases of Sgt. Desautels and many other missing Americans, the North Korean/Chinese negotiators claimed Desautels had "escaped."

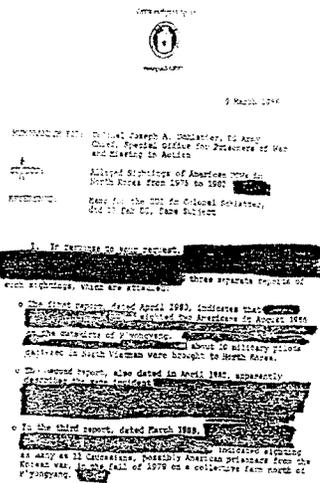
But in June 2008, NAF learned that five years earlier, in 2003, China had admitted to the Pentagon that Desautels had indeed been taken from North Korea. Beijing claimed had died in April 1953 after becoming "mentally ill," and was buried in Shenyang. The Chinese also claimed they no longer knew the location of Desautels remains and that it possessed a 9-10 page report on the lost American, but it was classified.

As far as NAF can tell, the Pentagon never obtained the classified Chinese report, never followed up with analysis of the plausibility of the Chinese story, and never made public that the communists had in 2003 quietly dropped more than 50 years of North Korean and Chinese denials that U.S. prisoners were shipped out of North Korea (one of the few other official cracks in this communist stonewall, this by the North Koreans, was the comment, discussed earlier, by North Korean officials to Sen. Smith in the 1990s). There is no indication the U.S. government followed up on the fact that Shengyang was at the time of the war known as Mukden, the site of multiple U.S. intelligence reports concerning secret prison camps from which Americans would not return and a stop on the reported transfer line of U.S. prisoners to the Soviet Union. Finally, there is no indication the U.S. government pressed North Korea for details on this case and other information it might have on Americans shipped from North Korea to other nations.

**Vietnam**

During the Vietnam War, ROK troops fought on the U.S. side. Open-source information and U.S. intelligence reports declassified in recent years indicate North Korean troops fought on the communist side in anti-aircraft and fighter

pilot roles in direct combat against American forces. There are reports that some ROK troops captured by the communists in Vietnam were sent to North Korea. The CIA report at left at least raises at least the possibility that a similar fate may have occurred to some U.S. prisoners in Vietnam. In June 2008, DFMO officials stated they were unaware of this report. While it is impossible to judge the reliability of this report and the potential transfer of U.S. prisoners from North Vietnam to North Korea, North Korea's advisors in Vietnam might well have collected information on the fate of U.S. servicemen missing from the Vietnam conflict and NAF believes they should be requested to share this information with the U.S. (as have former Soviet Bloc nations that had advisors in North Vietnam).



**Live Sightings**

Much U.S. government intelligence on the potential presence of U.S. POWs in North Korea apparently remains classified. In addition, NAF believes the POW issue has been far from a top collection priority for the U.S. Intelligence Community. However, "live sightings" of U.S. prisoners in North Korea years after the war continue to be reported. NAF is aware of reports until at least 2000 and a list of classified sightings held by the Pentagon as of 2006 (see chart below) indicates more recent reports

Here are brief summaries of selected reports NAF has followed:

**Oh Young Nam:** This former North Korean secret police official says he repeatedly saw 20-30 elderly Caucasians and blacks in a highly-secure area north of Pyongyang from 1982 to 1993. Mr. Oh says his comrades told him the men were American POWs.

"I asked: 'Who are those people?' I was told that they were American POWs. I was surprised that there were still American POWs alive. They all seemed to have families and their wives were North Korean," Mr. Oh stated.

In June 2008, DPMO claimed this was "second-hand information" (because the Caucasians and blacks did not personally tell him they were POWs) and says this sighting "could not be corroborated." Mr. Oh continues to assert that he saw American POWs and provided a video statement, with the help of the North Korea Freedom Coalition (NKFC), to NAF in June 2008.

Kim Yong: A former North Korean security official imprisoned after Pyongyang claimed his father had assisted the CIA (Mr. Kim states his father and other family members were publicly executed). Mr. Kim says he saw several Caucasians in one of North Korea's most notorious prisoner camps in 1996. According to a fellow inmate who knew them, the prisoners were U.S. and British prisoners-of-war; the inmate noted the specific location of their capture. Mr. Kim understood they were imprisoned because they refused to accept communism. DPMO in June 2008 stated that Mr. Kim's story has changed over time enough "to question the veracity of his claim." Mr. Kim now lives in the United States and recounted his sighting in detail at a meeting with NAF in June 2008.

Choi Jung Hyun: Mr. Choi, in a June 2008 interview arranged by the NKFC, stated that while a soldier in April of 2000, he visited Aplok River College and saw a Caucasian man wearing a North Korean uniform. "My first thought was that he may be Russian, as many Russian army personnel came through army bases. But, I was told that he was a US POW and that he was to be an English professor at the Aplok River College and that he was currently working as a specialist in US TV media research," Mr. Choi stated. Mr. Choi was shown a picture of James Dresnok, an American Army defector known to be alive in North Korea who has taught English in the past. Mr. Choi stated the man he saw was not Dresnok. To our knowledge, Mr. Choi has not been interviewed about this sighting by the U.S. government.

Kim Yong Hwa: Mr. Kim, according to a 1996 published report, said he had spent 40 days with an American POW called "John Smith" at a North Korean airfield in 1971. Smith spent time doing translations and menial labor, Mr. Kim said, and he talked about wanting to marry although he had given up hope of ever returning to the United States. Regarding this report, DPMO in June 2008 stated that because the two John Smith's unaccounted for in the Korean War are believed to have died in 1950, "we are unsure who Mr. Kim is referring to." It appears DPMO may not have debriefed Mr. Kim.

Serban Oprica: Mr. Oprica, then a Romanian engineer and now a U.S. citizen, said he saw field workers who appeared Caucasian during a 1979 bus trip in North Korea. He reported that others in his group claimed they were American POWs. After a delay of many years, DPMO tracked down two others who were on the bus with Mr. Oprica. "They all agreed that some of those sighted appeared to be Caucasian," DPMO reported in June 2008. However, because the men did not appear to be under armed guard, DPMO suggests they may have been Eastern Europeans providing "symbolic field labor." In June 2008, Mr. Oprica vigorously rejected this explanation.

Classified Generic Case Files/Korea  
(DPMO list as of May 2008; last updated October 2006; existence/status of later cases unknown)

INDEX NUMBER	DATE OF REPORT	TOPIC	REASON FOR CLASSIFICATION
000602	080947ZJUN00	Possible American POW in NK.	Ongoing
020402	22060 1ZAPR02	U.S. Servicemember in North Korea	Ongoing
020804	070655Z AUG02	U.S. Defectors in North Korea	Ongoing
021005	04053 1Z OCT02	U.S. POWs in North Korea	Foreign Govt Info
031101	1 80136Z NOV03	American POW in North Korea	Foreign Govt Info
040401	271714Z APR04	Rumors of American POWs in North Korea	Ongoing
0404501	201350Z MAY04	Caucasian prisoner sighted	Ongoing
040601	220823Z JUN04	American POW in North Korea	Foreign Govt Info
040901	130017Z SEP04	UN POW in North Korea	Foreign Govt Info
041201	19223 0Z DEC04	American POWs in North Korea	Foreign Govt Info
061001	130613Z OCT06	American defectors in North Korea	Foreign Govt Info

LAST UPDATED: OCTOBER 2006

#### About the Author

Mark Sauter has been investigating the fate of Korean War POW/MIAs since 1989. His research has included extensive work forcing the declassification of decades-old U.S. intelligence documents held by the National Archives and government agencies; he has also conducted research in North Korea and Russia. Mr. Sauter served in the Korean DMZ during the 1980s while an Army officer and is a graduate of Harvard University and the Columbia University Graduate School of Journalism. He serves as a volunteer researcher for the National Alliance of Families and is by profession an investment banker.

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Five soldiers defected to North Korea after the war. We have eliminated reports concerning their presence in North Korea.

<sup>1</sup>Neither China nor North Korea has provided information on numerous other reports of shipments from North Korea to China and the Soviet Union. For information on Sgt. Dasautels, see: Earlier this year, China agreed to

open some of its POW archives, but to our knowledge no documents have yet been released. Following numerous reports of American prisoners shipped to the Soviet Union during Korea, the Cold War and other conflicts (see more below; additional information available upon request), Russia and the U.S. established the United States-Russian Joint Commission on POW/MIAs, but it was quietly shut down by Moscow in 2004.

<sup>2</sup>Shipments to China: numerous declassified documents obtained by NAF and available for review. Shipment to Russia and the Stalin/Chou En-lai meeting: "The Transfer of U.S. Korean War POWs to the Soviet Union." 1993 Pentagon Study

After 1993, Pentagon investigators obtained substantial additional evidence on the shipment of U.S. POWs to Russia. Many of these reports are available from the Library of Congress and the Pentagon also updates a study, including several reports of prisoners from Korea, concerning Americans held in the Soviet Union but never returned:

<sup>3</sup>"Recovery of Unrepatriated Prisoners of War," June 17, 1955, Office of Special Operations, Office of the Secretary of Defense

<sup>4</sup>"North Korea May Still Hold P.O.W.'s, Inquiry Suggests," New York Times, June 15, 1996

<sup>5</sup>Associated Press, Sep. 30, 1997

**Exhibit 8**

**Timeline of Failure  
Defense Prisoner and Missing Personnel Office (DPMO)  
Failures on the POW/MIA Issue**

**April 2, 2009**

This White Paper details the pattern of failure that exists today with regard to the Defense Prisoner and Missing Personnel Office's mishandling of matters relating to Prisoners of War and Missing in Action (POW/MIAs).

Historically, intelligence matters relating to POW/MIAs from Southeast Asia have been handled by two entities within the Executive Branch. They are the Defense Intelligence Agency (war years – 1993) and the Defense Prisoner and Missing Personnel Office (1993 – present.) When DPMO was formed in 1993, many of the DIA employees working the POW/MIA issue were simply moved from DIA to DPMO. In effect, all that changed was the name of the office. The mindset to debunk that permeated DIA, took root in the new DPMO.

Through out the years, DIA, and DPMO have been the targets of both formal Inspector General and in house investigations for their failures and mishandling of the POW/MIA issue. Each investigation found the respective agencies deficient. While corrective action was recommended, it was rarely implemented. When implemented it rarely lasted as the office slipped back into familiar patterns. Indeed subsequent investigations found many of the same deficiencies. Beyond the official investigation are the memos and comments from analysts within the DPMO.

Deficiencies are also found within the merged Joint POW/MIA Accounting Command (JPAC) (formerly Joint Task Force – Full Accounting and Central Identification Laboratory – Hawaii.) We will confine our comments to DPMO as we believe correcting the deficiencies within that office will have a "trickle down" effect, sending the message that it is time for everyone to clean up their acts.

The timeline presented here evidences a clear pattern of failure, first on the part of the POW/MIA section at DIA and then within DPMO.

In order to get a clear picture of todays systemic and ongoing failures one must go back in time to review early evaluations of DIA/DPMO's handling of the POW/MIA issue. This review will prove the old adage, "the more things change, the more they stay the same."

**DIA/DPMO****1985**

As our starting point we cite a memorandum written by then Commodore Thomas Brooks, at the conclusion of his four-month stint as DIA's Assistant Deputy Director of Collection Management handling POW/MIA matters. Addressed to Brig. General Shufelt, head of DIA, the September 25 1985 memorandum states;

1. (C) I was not at all pleased with the situation I found when I took over responsibility for the POW/MIA issue. The deeper I looked, the less professional the operation appeared. It appeared to be particularly sloppy in the late seventies, but it is by no means a squared-away operation today. As a professional intelligence officer with a significant portion of my career spent as an analyst, I found the following to be particular problems:

- a. Case files were incomplete, sloppy (all mixed-up, loose papers, undated scribbled analyst notes, misfiled papers, etc.) and generally unprofessional.
- b. There were no action logs in the cases or where there were logs; entries had not been made in long time.
- c. Follow-up actions had not been pursued. In some cases, obvious follow-up actions were called for but were never taken and years had passed.
- d. There was no tickler system to ensure that we followed up on our own tasking. Thus, we might have tasked imagery or tasked JCRC' years ago, never got a response, and never followed up.
- e. Efforts to re-contact sources in the U.S. were perfunctory at best and normally amounted to merely trying to contact them by telephone rather than using local DoD or law enforcement agencies to track them down and then calling on them in person.
- f. We had never employed some of the most basic analytic tools such as plotting all sightings on a map to look for patterns, concentrations, etc.

2. (C) Thus, there is a great element of truth in General Tighe's statements that we have done a sloppy job. I come to the same conclusion after having looked into the issue probably in somewhat more detail than General Tighe, but not for as long a period of time.

3. (C) With regard to the allegation of "a mindset to debunk", I must conclude that there is an element of truth to this as well, although probably not as much as has been publicly stated. In fairness to DC-2, a good measure of this is attributable simply to human nature. The analysts have seen so many fabrications for so long that their first subconscious reaction is "this is just more of the same garbage". And most of it is. But some may not be. Frustrating as it all is, they have got to run all the leads to the ground. They have not been doing this as faithfully as they should. Thus, the "mindset to debunk" charge and the "sloppy analysis" charge are closely related. The former causes the latter. The leadership of DC-2 (the O-6, Deputy, and senior analyst) must be the conscience of the organization to preclude this mindset taking hold and to closely monitor the work. This they definitely have not done well over the years.

4. (C) I am not persuaded that enough assets are being dedicated to this problem if it is the top priority problem we claim it is. In particular, I wonder if JCRC is adequately manned, whether we have enough polygraph operators available, etc. I would not be able to make a judgment on this without actually having visited JCRC and the camps, which I have not had an opportunity to do. I would encourage you to do this early in your time here so you can draw conclusions regarding the adequacy of our level of effort in the field. Without firsthand exposure, my observations in this area fall into the category of gut...feelings rather than researched opinions.

5. (C) A key area which requires attention is DIA's image...how we are perceived to be doing our job rather than (or in addition to) how we really are doing it. We need to portray an image of open-minded, objective professionals who take this business very seriously and are willing to talk to anyone who might be able to provide us information. This includes the Baileys, Garwoods, and the lunatic fringe.

6. (C) I see the most important thing we must do right now is to be cementing relationships on the HILL. We have not done as well there as we should. It is clear that Congressman Hendon will be using our files to discredit us (and he will have lots of ammunition there). We need to ensure that we have formed the necessary alliances with HPSCI and the Asian-Pacific Affairs committees, their staffers, and THEIR CHAIRMEN.... that we receive support in our efforts to damage limit Congressman Hendon.

7. (C) I am afraid we are in for some troubled times. We have not done our job as well as we should have in days passed and we will not withstand scrutiny very well. Yet we will receive plenty of scrutiny in days to come. We must make all preparations to minimize the criticism this scrutiny will bring. I have attached a list of action items which I believe are required to accomplish this. I have already tasked DC-2 in these areas, but close monitoring and some personal involvement will be called for. I stand by to help in any way I can.

#### 1991

On February 12, 1991 Col. Millard "Mike" Peck submitted his letter of resignation as DIA's Chief of the Special Office for Prisoners of War and Missing in Action. The four page missive paints quite a dismal picture. The critical portion echoing the charges of Commodore Brooks more than five years earlier states:

**"The Mindset to Debunk.** The mindset to "debunk" is alive and well. **It is held at all levels, and continues to pervade the POW-MIA Office, which is not necessarily the fault of DIA. Practically all analysis is directed to finding fault with the Source.** [Emphasis added] Rarely has there been any effective, active follow through on any of the sightings, nor is there a responsive "action arm" to routinely and aggressively pursue leads. The latter was a moot point, anyway, since the Office was continuously buried in an avalanche of "ad hoc" taskings from every quarter, all of which required an immediate response. It was impossible to plan ahead or prioritize course of action. Any real effort to pursue live sighting reports or exercise initiative was diminished by the plethora of "busy work" projects, directed by high authority outside of DIA. A number of these grandiose endeavors bordered on the ridiculous, and – quite significantly – there was never an audit trail. None of these taskings was ever requested formally. There was, and still is refusal by any of the players to follow normal intelligence channels in dealing with the POW-MIA Office."

#### 1995

In August 1995, the Inspector General, Department of Defense completed its investigation of the two year old Defense Prisoner of War/Missing in Action Office. The reports conclusion reads –

"Like building a ship while under sail it is not easy to meld disparate organizational entities together while faced with multiple operational demands. However, that is the challenge faced by the DPMO. Our initial research at DPMO led us to conclude that the organization lacked; (1) Well defined missions and tasks, (2) A planning system to see that major goals were accomplished, and (3) A stable organizational structure that supported effective Management."

"To assist the office in tackling these areas, we outlined methods that we believe will help the organizations define its mission, establish a planning system, and structure its organization. We recognize the difficulty in setting aside time for such process building. However, without the strong leadership that such actions require, the organization will continue to experience difficulty in justifying its resources requirements and completing the assigned mission."

1997

On April 28, 1997, Dr. Timothy Castle, the Chief of DPMO's Southeast Asia Archival Research, addressed a detailed twelve page memo to Lt. Col Man, of DPMO's Plans and Policy chronicling the mishandling of Case 2052 within DPMO. Case 2052 involves eleven men missing from a then top secret radar base located on a mountain top in Laos.

While Dr. Castle never uses the term "mindset to debunk" the following clearly paints the picture and illustrates similar points made six years earlier by Col. Peck and twelve years earlier by Commodore Brooks. In his memo Dr. Castle wrote:

"As a two-tour combat veteran of the Vietnam war, school-trained intelligence officer with a doctorate in Southeast Asian history, over two decades of unique travel throughout Southeast Asia (including the location of REFNO 2052), and the author of numerous book reviews, articles, and an internationally recognized book on the war in Laos, I will frame this case within its correct political/military historical setting. Why is this necessary? Because DPMO needs to produce unimpeachable analytical recommendations based on the very best available information. While we would never accept less than state-of-the-art computers to perform our work, LtCol Schiff and Mr. Destatte continue to base their conclusions regarding REFNO 2052 on outdated information. **In an effort to protect their faulty conclusions, they have concealed and misrepresented any information which does not fit their perspective.** Moreover, they are predisposed to give greater credence to the "recollections" of communist officials than to contemporaneous U.S. records and the memory of American witnesses. The result - a corrupt analytical determination which is factually, intellectually, and morally indefensible."

Dr. Castle went on to say:

"More trouble is the lack of intellectual honesty and integrity shown by LtCol. Schiff and Mr. Destatte. Apparently unfamiliar and uncomfortable with the importance of rigorous oral argument and proper documentation, LtCol Schiff and Mr. Destatte regularly justify their "analysis" with misrepresentations and falsehoods. Briefly, as additional illustrations will be provided below, are two examples of their loose ethics. When asked by Mr. Rosenau and I (the analysts assigned to REFNO 2052) about the filming of the 1994 witness interview at Pha Thi mountain, Mr. Destatte consistently denied any such record. When shown evidence in a JTF-FA report that the interview was video-taped, he continued to deny any knowledge. Interestingly enough, when a copy of the tape was obtained from CILHI it showed the witness, Mr. Muc, Mr. Destatte, and LTC Pham Teo, a senior cadre and intelligence officer with the VNOSMP. The presence of LTC Pham Teo was never revealed in Mr. Destatte's report, despite the fact that Pham Teo is seen and heard to be coaching Mr. Muc on his recollections. It is instructive that Destatte felt it unnecessary at the time of the interview to inform the case analysts of the presence of LTC Pham Teo and then attempted to hide this important fact. As the initial collector, Mr. Destatte had the important responsibility of providing the assigned analysts with all available information. Surely the presence of this important cadre and his pervasive involvement in the interview would need to be considered by the analysts in their judgment of Mr. Muc's credibility? Mr. Destatte, for reasons best known to himself and the Vietnamese, concealed this information and then lied to cover-up his omission."

Dr. Castle ended his memo saying:

"REFNO 2052 must be assigned to a qualified analyst and all of the information developed over the past three years must be included in the comprehensive review. LtCol Schiff and Mr. Destatte, lacking the ethics and analytical capabilities to perform work in DPMO, should show the good grace to resign. Since this is unlikely to occur, however, DPMO leadership should strongly consider their continuing impact on case resolution. How many other cases will suffer, and never be correctly resolved, due to their actions? Strongly recommend that this memo, along with those prepared by Mr. Rosenau, LtCol Schiff, and Mr. Destatte be provided to the families; they deserve to know the full story."

It should be noted that Mr. Robert Destatte was among the staff that transitioned from DIA's POW/MIA branch to DPMO.

## 2004

The note, reproduced below, in its entirety, was written by former intelligence analyst Warren Gray, who during his approximately 20 years of service worked for both the Defense Intelligence Agency (DIA) and the Defense POW/MIA Office (DPMO.) The note written just prior to Mr. Gray's retirement is a stinging indictment of the failures within DPMO. Although the note is dated, now almost 4 years old, we believe the problems cited, including the lack of will to follow-up on investigative leads continues to this day.

Gentlemen: This being my last day in DPMO, I wanted to say so long to each of you since you are truly representative of the few good people left in DPMO. As of today I have 19 years and 6 months as a civilian. Since I was denied access to work the POW issue (regarding Southeast Asia) by Joe Harvey when I returned on 2 February 2002 from the position of Collection Manager with the DIA POW/MIA Analyst. Call me anytime I have done essentially little or nothing since then. I figured it was time to go if my own free will.

I remain extremely disappointed regarding many aspects of the POW issue, but this is neither the best nor place to go into detail about these many issues. I sit here in all at home and write and may publish details of the listing later. I anticipate it will include at a minimum the fact that the military personnel in DPMO have effectively been "reorganized" out of this military issue, failure of this organization to respond to a report of five Americans in SEA, the 185 report POWs moved from Laos to Vietnam, the Schmedders report about Haddock, why I feel the Do have not and never will cooperate in the search, Lao retention of a file cabinet containing POW information that we never requested; my proposal to approach Cao doctors in Beijing who worked previously with American POWs in NE Laos; the DPMO attitude towards Sainy Beach; my position on the Speicher case, my position on the DeLorenzo and the Father Pursuit cases, and as you can see, this would be a long list since these few topics are but the tip of the iceberg. I was never mentioned to the DASD during the two year backwash which was probably a good thing, since I would have taken him through several of the topics listed above.

Although my plans were to go into full retirement and help my wife with our seven grandchildren, after I decided I would leave, and announced my plans, I was offered two jobs with security firms that specialize in conducting background investigations. I have 26 years experience as a counterintelligence special agent in the Army conducting those type investigations, so I have accepted the position of Consultant Investigator with the InterTech Corporation, and will conduct background investigations for them.

My best wishes to each of you, good luck in your issue. I wish you a few replies above that I wanted to say good-bye to and I'll remember later, and call them.

Warren

Due to space constraints we will focus on two significant items from Mr. Gray's laundry list.

When Mr. Gray's letter came into our possession, we contacted him and he expanded on the points made in his letter. Mr. Gray provided detailed information on each of his points and that information is available upon request.

**[Begin]** Mr. Gray: DPMO has no interest in using Stony Beach personnel for collection purposes, debriefings, investigations or any other type activity, and has shown that inclination time and again. In 2001, when the DIA POW/MIA Analytic Cell proposed Stony Beach operations to pursue information relative to Phou Pha Thi (Note: Phou Pha Thi is also known as Lima Site 85 REFNO 2052. See Dr. Castle's memo above) and other areas of high interest, DPMO stated it was not interested, and would not issue the collection requirements.....

In February 1993 during hearings before Congressman Dorman's committee, Dana Rohrabacher from California opined that it was his opinion that the Vietnamese kept about 200 American POWs behind as bargaining chips. That may have happened.

**In November 1993 DPMO received a report that American POWs had been held in SEA after Homecoming, possibly as late as 1976, and that the number was 185. An immediate effort was made to go back to the original source to obtain further information, without success. The report was deemed to be so important and possibly credible that the collection representative was directed to follow the situation and to conduct frequent follow-ups which did not happen.**

In January 1998 members of the Joint Commission Support Directorate (JCSD) within DPMO decided to investigate the report and asked the collection representative for access. **The collection representative stated that she had no idea which report they were talking about, therefore could not furnish it.**

**Only after JCSD personnel threatened to demand an Inspector General investigation into the loss was the report "found."** Later in 1998 JCSD did what it could with limited resources to investigate the report; that was the last action to check out the possible credible information. Details of the report have never been taken to any country within SEA to demand an explanation, perhaps because the implications of the report were that the country in question could never have been deemed to be cooperating in the POW issue if the report was true.

The same collection representative that received the report in 1993, that lost the report in 1998 and who would have been responsible for any follow-up since its receipt, remains in place, and the report remains unresolved. During the mid 1990's a Russian geologist was interviewed and reported that he was told in 1976 by Vietnamese counterparts that the Vietnamese Government at that time was holding live American POWs.

**Does this report substantiate the earlier reporting?** No one knows since **neither report has been investigated further or in-depth.**

## **2005 – Present**

To illustrate the ongoing deficiencies within DPMO, we choose to cite one representative case. This case is by no means the exception. Many families have encountered the same difficulties.

**Case 0646** – With regard to the case of Sp4 Thomas A. Mangino and PFC's Paul A. Hasenbeck, Daniel R. Nidds and David Winters, the DPMO's case summary of this incident states;

"Four soldiers were returning from patrol on the second of two sampans on the river next to Thuong Hoa hamlet, Binh Giang Village, Quang Ngai Province. The first sampan returned to base, and the second was last seen 200 meters behind..... **A short while later, 20 – 30 rounds of small arms fire were heard from Thuong Hoa.**

Certainly, the report of small arms fire from the location the men were last seen supports DPMO's version that the men were ambushed and immediately killed.

The facts that multiple documents, of the day, from various U.S. entities state that the gunshots heard did not relate to the incident involving Case 0646. These documents include the unit's duty log, statements of witnesses before the April 23, 1967 Board of Inquiry, and letters from the U.S. Army to the families of the missing men.

The Board of Inquiry established the shots came from a location other than where the men were last seen. During question and answers the patrol leader was asked "did you hear any firing?"

A: "Yes sir."

Q: "What time."

A: "about 1630."

Q: "What direction?"

A: "The firing came from the south and I think it originated 623983."

Q: "How many rounds do you guess were fired and what type weapon?"

A: "I approximate 2 or 3 clips or about 25 to 30 rounds all of which originated from the vicinity of coordinates above. I do not think there were any return rounds."

Q: "What did you think then?"

A: "Gun jeep in bunker position #1 called and stated there was a squad from Delta Company pinned down, but the pinned down (sic). I then went up to the top of the hill to see if I could see the sampan."

Ignored were the statements of platoon members given during the Board of Inquiry. The question "did you hear gun fire" or "did you hear any small arms fire on the way back to camp" was asked of seven (7) men testifying before the board. All seven (7) answered no. An eighth man was asked "would you have been able to hear any firing?" His answer was "oh yes sir."

The duty log supports the involvement of Delta Squad in an encounter with the enemy. A letter to the wife of Sp4 Thomas Mangino stated; "The first boat succeeded in reaching the shore at approximately 4:15 P.M..... Shortly thereafter, **weapons fire was heard in the area; however, the firing involved a squad of men in an area other than where the second sampan was last seen.**"<sup>ii</sup>

Clearly, no one attributed the shot heard to the incident involving the four missing men.

In a March 23 2006 letter to acting DASD Newberry the sister of Paul Hasenbeck once again challenged the reference to shot heard and associated to her brother's incident. One year later, she received her response, in the form of a memorandum stating;

"Concerning the case summary information that Ms. Hasenbeck believes is in error none of the statements she questions are in the DPMO Case Summary."

Submitted by the National Alliance of Families For the Return of Americas Missing Servicemen

That is patently untrue as the cited excerpt from the DPMO case summary shows.

A second letter rebutting the information contained in the memo cited above was sent to Deputy Assistant Secretary of Defense Charles Ray, in June 2007. The response from DPMO was less than satisfactory and once again demonstrates the "mindset to debunk."

In a letter dated September 28<sup>th</sup> 2007, DASD Ray stated:

"We stand by the circumstances of loss described in the narrative. We believe the small arms fire heard from Thuong Hoa relates to this incident."

DPMO continues to ignore the contemporaneous documentation that confirms the shots came from another area involving another squad, designated Delta. The facts show that the shots heard did not involve the 0646 incident. **Without these shots, there is no support for DPMO's version that the men were killed in the ambush.**

This brings us to what we refer to as the "Tourison Memos," discovered during archival research in March of 2006. These memos were written by Sedgwick D. Tourison during his tenure as an investigator with the Senate Select Committee on POW/MIA Affairs.

In the first memo dated July 22, 1992 Tourison wrote:

"My review of JCRC casualty files has surfaced several messages which list a total of **nine American servicemen Vietnam has acknowledged were captured alive**, all of whom are listed by DOD as having been declared dead while missing. None are officially listed as ever having been a POW. **This information has come from Vietnamese officials a piece at a time over the past two years.** I suspect we will learn about more such cases as time goes on. While the precise fate of the nine is not clear, it **appears likely they died in captivity in southern Vietnam and this is the first admission from Vietnam that these nine were captured alive.**"

Named in the July 22<sup>nd</sup> 1992 memo as "captured alive" by Vietnamese admission were:

Carlos Ashlock	Donald S. Newton
James T. Egan	Madison A. Strohleln
Robert L. Greer	Robert L. Platt
Roger D. Hamilton	Fred Schreckengost
Gregory J. Harris	

Of the nine, only Greer and Schreckengost are considered accounted for with remains recovered. Their captivity is now well documented.

On August 1, 1992, Tourison issued a second memo increasing from nine to nineteen the number of servicemen who survived into captivity. In this memo, Tourison wrote;

"My review of POW/MIA case files disclosed DIA/JTFFA message traffic referring to individuals DoD now has information survived into captivity. All are individuals in a missing category after Homecoming and all were later declared dead while missing. A list of the 13 case files involving these 19 individuals declared dead without the recovery of remains is attached"

Tourison went on to state;

**“These cases provide official Vietnamese acknowledgement for the first time that some American servicemen were taken captive and then died. Due to the nature of these situations, it may never be possible to establish precisely how death occurred although there is evidence that death occurred in captivity and during the war.”**

**The additional servicemen added to the list of men who “survived into captivity” are:**

<b>Richard C. Bram</b>	<b>Fredric M. Mellor</b>
<b>John F. Dingwall</b>	<b>Daniel Nidds</b>
<b>Paul A. Hasenbeck</b>	<b>John F. O’Grady</b>
<b>Thomas A. Mangino</b>	<b>Charles Scharf/ Martin Massucci 1 of 2</b>
<b>John T. McDonnell.</b>	<b>David M. Winters</b>

Understandably, the families of the men involved in Case 0646 were quite interested in Tourison’s memo which confirmed their long-held belief that the four were captured. When queried by the 0646 families and others the Tourison memos were dismissed. One family member provided DPMO with Mr. Tourison’s contact information and suggested he be contacted to determine how he came to the conclusion outlined in his memos. That suggestion was dismissed. To this day no analyst in DPMO has contacted Mr. Tourison.

Intelligence supporting the capture of the men involved in Case 0646 has long been ignored, explained away, or dismissed. Among that intelligence:

- A CIA report describing the capture, from two sources, giving exact location, date and number of men involved, with one stating the men were to be moved to a “western area.”
- An Intelligence Information Report describing the movement of 4 POWs correlated to Case 0646, based on their date of loss.
- Two possible photo identifications of Daniel Nidds.
- One possible report of David Winters in captivity and the associated photo identification.
- Vietnamese admission as described by Senate Investigator Sedgewick Tourison, that the four men involved in Case 0646 **“survived into captivity”**

Summing up the families’ frustrations with DPMO and their handling of the 0646 Case, Paul Hasenbeck’s sister Jeanie wrote:

**“... I simply cannot comprehend how the rule of “credibility” is applied. Without confirmation, it sometimes is creditable and it sometimes is hearsay. Just how does that work? When it doesn’t confirm their determination of fate, it becomes hearsay, when it does confirm their determination it is creditable. This is truly an ART as any rule of SCIENCE is thrown out the window.... It truly is an amazing logic they apply - most unique and never experienced anywhere else in my world.”**

Problems documented in 1985 are clearly ongoing today. Files are sloppy and documents are missing from them. Information is not provided to the families. When it is, it is misrepresented. Above all, information contradicting DPMO's conclusions on a case continues to be ignored. Analysts continue the "mindset to debunk."

Commodore Brooks wrote in 1985, "I am afraid we are in for some troubled times. We have not done our job as well as we should have in days passed and we will not withstand scrutiny very well."

As it was in 1985, in 2009 those charged with POW/MIA matters do not "withstand scrutiny very well."

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<sup>1</sup> Joint Casualty Resolution Center (JCRC) began during the war as Joint Personnel Recovery Center. At wars end it became the JCRC. Eventually, JCRC became Joint Task Force - Full Accounting and is now part of the Joint POW/MIA Accounting Command (JPAC)

<sup>2</sup> Dept. of Army letter dated 9 June 1967, to Connie Mangino, signed by Col. C.A. Stanfiel, acting Adjutant General the Army

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: LYNN O'SHEA

Capacity in which appearing: (check one)

Individual

Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: NATIONAL ALLIANCE OF FAMILIES

**FISCAL YEAR 2009**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
∅	-	-	-

**FISCAL YEAR 2008**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
∅	-	-	-

**FISCAL YEAR 2007**

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
Ø	-	-	-

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): Ø ;  
 Fiscal year 2008: Ø ;  
 Fiscal year 2007: Ø .

Federal agencies with which federal contracts are held:

Current fiscal year (2009): Ø ;  
 Fiscal year 2008: Ø ;  
 Fiscal year 2007: Ø .

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): Ø ;  
 Fiscal year 2008: Ø ;  
 Fiscal year 2007: Ø .

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): Ø ;  
 Fiscal year 2008: Ø ;  
 Fiscal year 2007: Ø .

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2009): \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2008: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2007: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ .

Federal agencies with which federal grants are held:

Current fiscal year (2009): \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2008: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2007: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ .

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2008: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2007: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ .

Aggregate dollar value of federal grants held:

Current fiscal year (2009): \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2008: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ ;  
Fiscal year 2007: \_\_\_\_\_  $\emptyset$  \_\_\_\_\_ .

CORRECTED COPY

The following testimony will be given by Frank Metersky on behalf of the Korea Cold War Families of the Missing on Thursday, April 2, 2009 at 2:00 p.m. to the House Armed Services Subcommittee on Military Personnel hearing on "Improving Recovery and Full Accounting of POW/MIA Personnel From All Past Conflicts".

The Korea Cold War Families of the Missing fully supports any and all of the changes recommended by the current DASD of DPMO ABM Charles Ray that would dramatically alter the structure of the POW/MIA community, and thereby increase its capabilities to identify 180 sets of remains annually, for all wars combined. This would represent an increase in identifications of 150% per year.

The DASD recommends that the JPAC Lab be moved to the Mainland because of the serious short staffing problems the Lab has never been able to overcome, located in Hawaii. A study requested by OSD/DPMO to address the moving of the JPAC Lab is currently being conducted by the Institute for Defense Analysis, and its results will be available in the next 45 days. The move to the Mainland will allow the JPAC Lab to acquire a level of professionalism that it has greatly lacked for years, which is necessary to reach the DASD's goal of 180 identifications annually for all wars.

To compliment this effort, the DASD has written a new policy paper that redefines the strategy of how to make the best use of all the Government's assets used in the recovery and identification of remains. This policy paper is currently available on the DPMO website.

There is also a DPMO paper which should be available shortly, detailing by percentages how the assets of DPMO/JPAC should be used based on today's realities for each of the past conflicts.

To assure that the goal of 180 identifications take place, we recommend that JPAC be removed from the oversight command of PACOM and that oversight be returned to Army Casualty. PACOM, a War Fighting Command, has shown little to no interest in performance levels at JPAC. It also has appointed incompetent military commanders and allowed an equally incompetent civilian commander to run JPAC.

We further recommend that the current and future DASD's at DPMO be placed in unqualified command of the entire U.S. Government's commitment to this highest of humanitarian missions "The fullest possible accounting of our POW/MIA's from all wars past, present and future". DPMO is fully capable of overseeing all aspects of this mission, since it is its only mission.

If these changes are implemented, the KOREAN WAR FAMILIES will finally have what they have long been lacking:

1. An identification team working full time on the 853 unknowns buried at the Punch Bowl Cemetery in Hawaii. With the new recent advances in scientific identification, it has been determined that as many as 400 of these unknowns could be identified.

2. A forensic team working full time on the 540 sets of the KOREAN WAR remains that have been warehoused at JPAC mostly since 1993.
3. A full time investigative and recovery team working in South Korea instead of the limited number of operations we have now due to the serious lack of qualified personnel at JPAC. This team should also be there to work with the South Korean version of JPAC (MAKRI) to ensure that no U.S. remains recovered are accidentally disposed of as they have been in the past.
4. A fully staffed JPAC would allow them to conduct recovery of remains operations in North Korea (4,500 or more U.S. remains are located there) when it becomes operational again and not a North Korea or South Korea choice, as it has been in the past. JPAC currently denies this either/or situation as they continue to cover up its serious lack of personnel with a meaningless study of their own.

I have been asked by Irene Mandra, President of the Korean Cold War Families of the Missing to make a statement on her behalf regarding what took place before, during and after her meeting on April 4, 2008 in the office of Admiral Crisp at JPAC in Hawaii. Irene was accompanied by four members of our organization. Mr. Johnnie Webb, the senior civilian at JPAC was in attendance.

One important issue to be discussed, which the Admiral knew would be on Irene's agenda, was our unqualified support for the moving of the entire JPAC Lab to the Mainland because of a long history of its inability to fully staff and maintain personnel in the Lab in Hawaii.

When this issue was raised, Admiral Crisp's immediate response was that she was doing a study regarding the move of the Lab as requested by OSD/JPAC when, she actually was not, as discovered over four months later. To date, the Admiral has never apologized or explained why she misled Irene and DPMO by saying that she was doing the study that is now being conducted by IDA. This scenario confirms why the Lab should be removed from Hawaii and PACOM so it can be restructured.

Is this any way to maintain the trust of the Families?

This Committee has the ability to bring a renewed credibility to the POW/MIA issue by making the changes recommended by the current DASD at DPMO and others. These changes, if made, will dramatically improve the Government's ability to achieve the fullest possible accounting of POW/MIA's from all Wars, past, present and future!

Thank you.

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Witness name: FRANK METAPISIC

Capacity in which appearing: (check one)

- Individual  
 Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: \_\_\_\_\_

**FISCAL YEAR 2009**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
○			

**FISCAL YEAR 2008**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
○			

FISCAL YEAR 2007

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant

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Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
 Fiscal year 2007: \_\_\_\_\_

Federal agencies with which federal contracts are held:

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
 Fiscal year 2007: \_\_\_\_\_

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
 Fiscal year 2007: \_\_\_\_\_

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): \_\_\_\_\_;  
 Fiscal year 2008: \_\_\_\_\_;  
 Fiscal year 2007: \_\_\_\_\_

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Fiscal year 2007: \_\_\_\_\_.

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Fiscal year 2007: \_\_\_\_\_.

Aggregate dollar value of federal grants held:

Current fiscal year (2009): \_\_\_\_\_;  
Fiscal year 2008: \_\_\_\_\_;  
Fiscal year 2007: \_\_\_\_\_.

Testimony by Robin S. Piacine  
 President, Coalition of Families of Korean & Cold War POW/MIAs  
 www.coalitionoffamilies.org

Chairwoman and distinguished members of the House Armed Services subcommittee for Military Personnel: thank you for having this hearing today and affording me the opportunity to speak for the many family members my organization represents. We all share one thing in common, that is, each of us wait for the day that we can bring our loved ones home. We want to understand what has truly happened to them. These unanswered questions haunt us. Birthdays, anniversaries, special days all are lived with emptiness and questions of what truly happened to the ones we love and miss.

With me today, I bring a picture of my missing Uncle, USA Sgt William C. Bradley. My Uncle was a medic during the Korean War. He was first listed as KIA on December 1, 1950 in the area of Kunu ri, in Unsan county in North Korea. Through years of research by the analysts at DPMO and with the help of my dear friend and colleague John Zimmerlee, it was discovered that on December 1 of 1950 he became a POW. He was marched North and died in a holding camp. He deserves to be here today and I didn't think you would mind. His remains are still in north Korea waiting to be returned home...just one of approximately 8,057 unaccounted for from the Korean War.

We are here today to discuss ways in which the recovery and full accounting of POW/MIA personnel from all past conflicts can be improved. Having served as President of the Coalition of Families for over 5 years, you can imagine that I have received many suggestions from family members as to how this might be accomplished. Some of these suggestions have already been directed to the Defense Prisoner of War Office, I offer them here today to you.

- We strongly support and endorse plans to construct a new identification facility with state of the art technology. This investment is required to facilitate the critical work that the laboratory provides to all the Uniformed Services in support of recoveries from all conflicts. We believe that this will facilitate a reduction in the time to identification and thus speed the return of remains to the families. On a related point, we **DO NOT the relocation of this support to CONUS**. The current location is ideal, being in proximity to South East and South West Asia and the Pacific where the majority of recoveries take place. A Joint Forensic Review has been established and a move would hamper that very important international partnership with the South Korean Forensic Team which benefits our recovery process as well. Further, the loss of experienced staff would be devastating to the recovery and identification effort. As I am sure you are aware, rarely do more than 10% of civilian employees relocate when such a move is made. It will take years to reconstitute and regain the current staff's level of expertise. Lastly, the cost of such a move, in these times of financial strife, makes no sense at all from the view of the concerned taxpayer.
- **There is a critical need to have access to files still held as Classified for over 50 years at College Park Maryland.** These restrictions hamper our ability to conduct independent research in support of our families. How can this procedure change? A press release dated March 11, 2009 notes that President Obama has approved a \$459M budget for the National Archives. In this budget \$1,000,000 has been allocated solely for the development of a new Office of Government Information Services created by a 2007 amendment to the Freedom of

Information Act. It will monitor compliance of federal agencies, “and ensure that the records of government remain open and accessible to the public(attachment 1 Press Release March 11, 2009, www.archives.gov). We firmly believe that if the files in question are declassified and made accessible to the public, we could assist DPMO’s overburdened, analysts and the families we represent. This would add to the improvement of the overall accounting process. Too many times as the boxes of files are reviewed by our volunteers, we find slips that state say the files have been moved, but do not indicate where. Some of the files haven’t been reviewed for more than 15 years. This is a travesty to our families that could possibly know more about their missing loved ones.

- **Follow-through upon President Obama’s guidance about disclosure.** You may recall that shortly after becoming President, he released a Presidential Order limiting the power of authority in connection with the release of Presidential records by the National Archives and Records Administration. We need to follow his example and make available those files that can be from all agencies (Please see my Attachment 2 for more information).
- **Increased Staffing and Funding Levels at DPMO.** We know that the organization has been both understaffed and under-resourced for many years. This effects DPMO’s ability to provide timely research and support to the families of the missing. If this is a priority (bringing our missing home) of the new Administration and this Congress, then the money to make it happen better and faster must be provided. It is time that the oft espoused view that “none will be left behind” is actually backed up by the resources to make it happen. Place a family member in DPMO so that issues regarding families and their loved ones gain the perspective that is lacking.
- **Resumption of recovery operations in North Korea.** Clearly this point is of the highest interest to my organization. The majority of our missing are likely located in North Korea. The curtailment of recovery operations under the Bush Administration has dampened hope among the families of the missing from the Korean War. We seek a resumption of operations with a focus on access to the POW camps where many of the remains of our servicemen are located as soon as possible. During this time we need to come together and work on a way to get back into North Korea by thinking outside the box.
- **The support of House Resolution HR 111; Establishment of a Select Committee on POW/MIA Affairs which has been reintroduced by the Representative of New York, Peter King.** We have believed all along that this is an opportunity to assist families and veterans in the accounting process. We believe that there is much needed assistance with a broader spectrum of issues that goes beyond the scope of the Defense Prisoner of War Missing Personnel Office that need addressed. I believe this is where the establishment of a POW/MIA Affairs Committee would be invaluable in the accounting process. It will assist the families and help us determine where the fate of our servicemen and servicewomen. How? The Cold War families desperately need the assistance with the information held in Russian and the Chinese Archives. We believe with a special committee dedicated to the POW MIA issue that it would assist our efforts and put pressure on the countries involved to cooperate (please see attachment 3).

I appreciate the opportunity to submit my testimony for you to review. We strongly and emphatically support the efforts of the leadership and staff of DPMO, Admiral Crsip and the dedicated staff at JPAC, the Military Casualty offices, AFDIL and the other entities that work so hard to assist in the accounting effort. We endorse the construction of a much needed new facility in order that the fantastic work of the scientists and their teams be accomplished faster and more efficiently. The entire effort must be supported with appropriate staff and funding.

The declassification and availability of files, both at home and abroad, is critical to our ability to answer questions from the Cold and Korean Wars. It is vital that we begin recovery operations in North Korea as soon as possible.

Finally, I urge each of you to give your support to HR 111 and look at it as a way to assist in the accounting effort. It is clear to the families of all of our missing servicemen from all wars that time is not on our side. I can attest to that personally. My mother and aunt are both recently deceased, my grandmother and grandfather passed away many years ago. This is all the immediate family that my Uncle had. One day, as I was visiting with my mother, who was dying of cancer, she said to me, "I only wish I would have lived to see your uncle come home and give him a proper funeral." She did not. Unfortunately, this is too often the case for so many families. Thank you again for your time and attention.

**Press Release**  
**March 11, 2009**

## **President Approves \$459M Budget for National Archives**

Washington, DC... The National Archives and Records Administration (NARA) is receiving \$459,277,000 for the current fiscal year under the omnibus appropriation bill passed by Congress and signed by President Barack Obama on March 11, 2009.

The \$459,277,000 for Fiscal Year 2009 is a \$48,144,000, or 12 percent, increase over last year's appropriation of \$411,133,000.

"We are extremely pleased with the additional resources for NARA that will enable us to fund our core programs, operate the new George W. Bush Library, increase our ability to process presidential records with the hiring of 15 new archivists, and add a criminal investigator to the Office of the Inspector General", said Adrienne C. Thomas, Acting Archivist of the United States.

"We will also be able to continue building the Electronic Records Archives (ERA) and will use the additional funds to begin development of software to provide public access to ERA and initial preservation capabilities," she added. "With the Administration's continued support for ERA, we are just a few years away from having public access to ERA."

Funding for NARA's Operating Expenses is set at \$330,308,000, up from last year's level of \$315,000,000. The Operating Expenses appropriation funds rent, energy, security, and staff costs for NARA's facilities at 44 locations around the country.

This budget also includes continued funding for new archivists hired during FY 2008, and \$875,000 to further increase the number of archivists on staff. The agency is directed to report to Congress within 30 days of the specific actions it is taking to restore archivist workforce levels to pre-2002 levels.

Also included in the appropriations bill is \$1,000,000 for the new Office of Government Information Services, which was created by a 2007 amendment to the Freedom of Information Act (FOIA). Its purpose is to strengthen FOIA, monitor compliance with it by federal agencies, and ensure that the records of government remain open and accessible to the public.

The Administration also provides \$650,000 to complete the review of U.S. Government records documenting the activities of the Nazis and the Japanese Imperial Government. These resources will be available for two years to enable the agency to release a supplemental report to NARA's 2007 report on this subject.

For continued development of the ERA, the Congress appropriated \$67,008,000, compared to \$58,028,000 last year. The ERA had its official launch last year and this year took in the electronic records of the Executive Office of the President from the George W. Bush Administration.

The budget also directs NARA to provide quarterly progress reports on ERA to Congress and the Government Accountability Office and to alert them to any potential delays, cost overruns, and other problems with the development of the ERA.

Congress also provided \$6,325,000 to operate the George W. Bush Presidential Library in Dallas.

It is now temporarily located in a facility in Lewisville, TX until the permanent library is built with private funds on the campus of Southern Methodist University.

For repairs and restorations to NARA facilities, Congress appropriated \$50,711,000. This includes funding for our base and \$22,000,000 to complete work on a renovation and an addition to the Kennedy Library in Boston, MA, and \$17,500,000 for the first phase of a renovation and addition to the Roosevelt Library in Hyde Park, NY.

The budget also provides an additional \$2,000,000 to complete repair and restoration of the plaza at the Johnson Library in Austin, TX, but makes it clear that Congress will provide no more funding for this project.

The National Historical Publications and Records Commission (NHPRC) received \$11,250,000 for the current fiscal year, of which \$2,000,000 will be transferred to the Operating Expenses (OE) appropriation. Last year, Congress provided NHPRC with \$9,500,000 and transferred \$2,000,000 to OE. This new funding level will allow NHPRC to continue its work on the Founding Fathers projects, publish historical records and support archives preservation, access and digitization grants.

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For press information, contact the National Archives Public Affairs staff at (202) 357-5300.  
09-59

Wednesday, January 21st, 2009 at 12:00 am

## **Presidential Records**

### **Executive Order -- Presidential Records**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish policies and procedures governing the assertion of executive privilege by incumbent and former Presidents in connection with the release of Presidential records by the National Archives and Records Administration (NARA) pursuant to the Presidential Records Act of 1978, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

- (a) "Archivist" refers to the Archivist of the United States or his designee.
- (b) "NARA" refers to the National Archives and Records Administration.
- (c) "Presidential Records Act" refers to the Presidential Records Act, 44 U.S.C. 2201-2207.
- (d) "NARA regulations" refers to the NARA regulations implementing the Presidential Records Act, 36 C.F.R. Part 1270.
- (e) "Presidential records" refers to those documentary materials maintained by NARA pursuant to the Presidential Records Act, including Vice Presidential records.
- (f) "Former President" refers to the former President during whose term or terms of office particular Presidential records were created.
- (g) A "substantial question of executive privilege" exists if NARA's disclosure of Presidential records might impair national security (including the conduct of foreign relations), law enforcement, or the deliberative processes of the executive branch.
- (h) A "final court order" is a court order from which no appeal may be taken.

Sec. 2. Notice of Intent to Disclose Presidential Records.

- (a) When the Archivist provides notice to the incumbent and former Presidents of his intent to disclose Presidential records pursuant to section 1270.46 of the NARA regulations, the Archivist, using any guidelines provided by the incumbent and former Presidents, shall identify any specific materials, the disclosure of which he believes may raise a substantial question of executive privilege. However, nothing in this order is intended to affect the right of the incumbent or former Presidents to invoke executive privilege with respect to materials not identified by the Archivist. Copies of the notice for the incumbent President shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the former President shall be delivered to the former President or his designated representative.
- (b) Upon the passage of 30 days after receipt by the incumbent and former Presidents of a notice of intent to disclose Presidential records, the Archivist may disclose the records covered by the notice, unless during that time period the Archivist has received a claim of executive privilege by the incumbent or former President or the Archivist has been instructed by the incumbent President or his designee to extend the time period for a time certain and with reason for the extension of time provided in the notice. If a shorter period of time is required under the circumstances set forth in section 1270.44 of the NARA regulations, the Archivist shall so indicate in the notice.

Sec. 3. Claim of Executive Privilege by Incumbent President.

(a) Upon receipt of a notice of intent to disclose Presidential records, the Attorney General (directly or through the Assistant Attorney General for the Office of Legal Counsel) and the Counsel to the President shall review as they deem appropriate the records covered by the notice and consult with each other, the Archivist, and such other executive agencies as they deem appropriate concerning whether invocation of executive privilege is justified.

(b) The Attorney General and the Counsel to the President, in the exercise of their discretion and after appropriate review and consultation under subsection (a) of this section, may jointly determine that invocation of executive privilege is not justified. The Archivist shall be notified promptly of any such determination.

(c) If either the Attorney General or the Counsel to the President believes that the circumstances justify invocation of executive privilege, the issue shall be presented to the President by the Counsel to the President and the Attorney General.

(d) If the President decides to invoke executive privilege, the Counsel to the President shall notify the former President, the Archivist, and the Attorney General in writing of the claim of privilege and the specific Presidential records to which it relates. After receiving such notice, the Archivist shall not disclose the privileged records unless directed to do so by an incumbent President or by a final court order.

Sec. 4. Claim of Executive Privilege by Former President.

(a) Upon receipt of a claim of executive privilege by a living former President, the Archivist shall consult with the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel), the Counsel to the President, and such other executive agencies as the Archivist deems appropriate concerning the Archivist's determination as to whether to honor the former President's claim of privilege or instead to disclose the Presidential records notwithstanding the claim of privilege. Any determination under section 3 of this order that executive privilege shall not be invoked by the incumbent President shall not prejudice the Archivist's determination with respect to the former President's claim of privilege.

(b) In making the determination referred to in subsection (a) of this section, the Archivist shall abide by any instructions given him by the incumbent President or his designee unless otherwise directed by a final court order. The Archivist shall notify the incumbent and former Presidents of his determination at least 30 days prior to disclosure of the Presidential records, unless a shorter time period is required in the circumstances set forth in section 1270.44 of the NARA regulations. Copies of the notice for the incumbent President shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the former President shall be delivered to the former President or his designated representative.

Sec. 5. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to a department or agency, or the head thereof; or
- (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 6. Revocation. Executive Order 13233 of November 1, 2001, is revoked.  
BARACK OBAMA  
THE WHITE HOUSE,  
January 21, 2009

HRES 111 IH

111th CONGRESS

1st Session

**H. RES. 111**

Establishing a Select Committee on POW and MIA Affairs.

**IN THE HOUSE OF REPRESENTATIVES**

**February 3, 2009**

Mr. KING of New York (for himself, Mr. ACKERMAN, Mrs. BACHMANN, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Mr. COBLE, Mr. COHEN, Mr. COSTELLO, Mr. CROWLEY, Mr. DAVIS of Kentucky, Mr. DAVIS of Tennessee, Mr. FORBES, Mr. FRELINGHUYSEN, Mr. GOHMERT, Ms. HARMAN, Mr. HELLER, Mr. HOLDEN, Mr. ISSA, Ms. KAPTUR, Mr. KILDEE, Mr. LINDER, Mr. LOBIONDO, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MANZULLO, Mr. MCCAUL, Mr. MCHENRY, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mrs. MYRICK, Mr. PAUL, Mr. POE of Texas, Mr. PRICE of Georgia, Mr. ROGERS of Kentucky, Mr. ROHRABACHER, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. TERRY, Mr. WITTMAN, Mr. WOLF, Mr. WU, and Mr. YOUNG of Alaska) submitted the following resolution; which was referred to the Committee on Rules

**RESOLUTION**

Establishing a Select Committee on POW and MIA Affairs.

*Resolved*, That there is established in the House of Representatives a select committee to be known as the Select Committee on POW and MIA Affairs.

**FUNCTIONS**

Sec. 2. The select committee shall conduct a full investigation of all unresolved matters relating to any United States personnel unaccounted for from the Vietnam era, the Korean conflict, World War II, Cold War Missions, Persian Gulf War, Operation Iraqi Freedom, or Operation Enduring Freedom, including MIA's and POW's missing and captured.

**APPOINTMENT AND MEMBERSHIP**

Sec. 3. (a) Members- The select committee shall be composed of 10 Members of the House, who shall be appointed by the Speaker. Not more than half of the members of the select committee shall be of the same political party.

(b) Vacancy- Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(c) Chairperson- The Speaker shall designate one member of the select committee to be its chairperson.

## **AUTHORITY AND PROCEDURES**

- Sec. 4. (a) Authority- For purposes of carrying out this resolution, the select committee (or any subcommittee of the select committee authorized to hold hearings) may sit and act during the present Congress at any time or place within the United States (including any Commonwealth or possession of the United States, or elsewhere, whether the House is in session, has recessed, or has adjourned) and to hold such hearings as it considers necessary.
- (b) Rules of Procedure- The provisions of clauses 1, 2, and 4 of rule XI of the Rules of the House shall apply to the select committee.
- (c) Prohibition Against Meeting at Certain Times- Subsection (a) may not be construed to limit the applicability of clause 2(i) of rule XI of the Rules of the House to the select committee.

## **ADMINISTRATIVE PROVISIONS**

- Sec. 5. (a) Expenses- Subject to the adoption of expense resolutions as required by clause 6 of rule X of the Rules of the House, the select committee may incur expenses in connection with its functions under this resolution.
- (b) Staff and Travel- In carrying out its functions under this resolution, the select committee may--
- (1) appoint, either on a permanent basis or as experts or consultants, any staff that the select committee considers necessary;
  - (2) prescribe the duties and responsibilities of the staff;
  - (3) fix the compensation of the staff at a single per annum gross rate that does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;
  - (4) terminate the employment of any such staff as the select committee considers appropriate; and
  - (5) reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their functions for the select committee, other than expenses in connection with any meeting of the select committee, or a subcommittee thereof, held in the District of Columbia.
- (c) Expiration- The select committee and all authority granted in this resolution shall expire 30 days after the filing of the final report of the select committee with the House.

## **REPORTS AND RECORDS**

- Sec. 6. (a) Final Report- As soon as practicable during the present Congress, the select committee shall submit to the House a final report setting forth its findings and recommendations as a result of its investigation.
- (b) Filing of Reports- Any report made by the select committee when the House is not in session shall be filed with the Clerk of the House.
- (c) Referral of Reports- Any report made by the select committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.
- (d) Records, Files, and Materials- Following the termination of the select committee, the records, files, and materials of the select committee shall be transferred to the Clerk of the House. If the final report of the select committee is referred to only one committee under the provisions of subsection (c), the records, files, and materials of the select committee shall be transferred instead to the committee to which the final report is referred.

**DEFINITIONS**

Sec. 7. For purposes of this resolution:

- (1) The term `Member of the House' means any Representative in, or Delegate or Resident Commissioner to, the Congress.
- (2) The term `MIA' means any United States personnel that is unaccounted for and missing in action.
- (3) The term `POW' means any United States personnel that is unaccounted for and known to be a prisoner of war.
- (4) The term `select committee' means the Select Committee on MIA and POW Affairs established by this resolution.

*END*

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: Robin Piacine

Capacity in which appearing: (check one)

Individual

Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: Coalition of Families of Korean and Cold War POW/MIA's

FISCAL YEAR 2009

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	-	-	-

FISCAL YEAR 2008

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	-	-	-

FISCAL YEAR 2007

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
∅	—	—	—

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): ∅ \_\_\_\_\_ ;  
 Fiscal year 2008: ∅ \_\_\_\_\_ ;  
 Fiscal year 2007: ∅ \_\_\_\_\_ ;

Federal agencies with which federal contracts are held:

Current fiscal year (2009): ∅ \_\_\_\_\_ ;  
 Fiscal year 2008: ∅ \_\_\_\_\_ ;  
 Fiscal year 2007: ∅ \_\_\_\_\_ ;

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): ∅ \_\_\_\_\_ ;  
 Fiscal year 2008: ∅ \_\_\_\_\_ ;  
 Fiscal year 2007: ∅ \_\_\_\_\_ ;

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): ∅ \_\_\_\_\_ ;  
 Fiscal year 2008: ∅ \_\_\_\_\_ ;  
 Fiscal year 2007: ∅ \_\_\_\_\_ ;

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

Federal agencies with which federal grants are held:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

Aggregate dollar value of federal grants held:

Current fiscal year (2009): 0 \_\_\_\_\_;  
Fiscal year 2008: 0 \_\_\_\_\_;  
Fiscal year 2007: 0 \_\_\_\_\_.

**Statement of Ron Broward before the House Armed Services Committee Subcommittee on  
Military Personnel**

Madam Chairwoman and Members of the Committee, thank you for the opportunity to speak with you.

The proposal I left with you last July is attached to this statement with the exception of the enclosures.

Turf wars, bureaucratic sabotage, and unethical behavior on the part of a few continue to exist in the POW/MIA mission.

To have a complete account of what the mission needs would require department managers of JPAC to testify under oath before your committee. They know the problems that exist and have excellent ideas to correct those problems.

For several years we have advocated for a strong central authority to manage the agencies involved in the USG POW/MIA Program. Ambassador Ray has worked very hard to make the mission more effective. With the backlog of thousands of remains yet to be recovered and identified, the present system must be streamlined to improve efficiency and cost effectiveness. Hopefully ideas presented at this hearing will lead to that goal.

The merging of JTFFA and the CIL in 2003 was a good move, but has led to some unanticipated consequences that need remediation. Please refer to a DPMO Draft Report in response to the Senate Armed Services Committee Report 109-254. This DPMO Draft Report was completely ignored by JPAC and PACOM when the final report was drafted and sent by DOD to the SASC. Both of these reports are attached to my statement. These two documents tell the problems that exist within the current structure. In fairness to Admiral Crisp, she was not the JPAC Commander in 2007 when the final report was sent to the Senate Armed Services Committee.

The Draft DPMO Report in just four pages addresses the problems that exist and ways DPMO was considering to correct those problems. The DPMO Report is an excellent blueprint for the worldwide mission DPMO is tasked with.

Since 2004 there have been 364 identifications or 73 per year. This means it takes seven staff members working full time for one year to make one identification. During this time 65% of recoveries and identifications were from World War II and Korea, yet 75 to 80% of resources were devoted to Southeast Asia.

In the CIL there are 1,433 Unknown remains. For several years we advocated for a more effective outreach program for obtaining Family Reference Samples (mtDNA). The Defense Science Board Report of 1995 recommended an aggressive outreach program which could be used today, but this report has not been accepted. Finally in June 2008 I went to the Joint Chiefs of Staff for help. The JCS ~~set aside funding to accomplish a more effective outreach program~~ and directed that a plan be developed. As of this date, nine months later, no plan has been developed either by the Service Casualty Offices or DPMO.

In 2003 we presented a plan to JPAC for the possibility of associating MIA's to Unknowns interred in the Punchbowl. In 2004, Dr. Holland, the CIL Director, saw merit in the plan and hired a forensic anthropologist in early 2005 to work on the plan. A historian was to be hired but there were no funds to do so. Since that time there have been seven exhumations, five have been identified, one is pending, and one is pending DNA processing. By 2007 the anthropologist hired for the project finished an analysis of the 853 Unknowns interred in the Punchbowl with the result that 87 cases were rated with a very high potential of identification. Another 529 cases were rated with potential identification. Of these Unknowns, 457 are 76 to 100% complete. This rating of Unknowns was done prior to the new technology of Radiograph Matching being developed.

Twenty-five additional possible associations of MIA's to Unknowns have been presented to JPAC. Twenty-four of these cases have passed preliminary dental screening. One has been

exhumed which took place on 4 September 2008, and I believe will be identified shortly. The process from start to identification is lengthy, the last case has taken 13 months.

**I want to strongly emphasize this is not the fault of the CIL, just a critical shortage of forensic anthropologists and professional historians. In 2005 there were 32 forensic anthropologists in the CIL. Today there are just 19.**

The last item I want to address is a new technology developed at the CIL called Radiograph Matching. This new technology compares the antemortem chest x-rays of a MIA with the Unknown remains either in the CIL or after exhumation of an Unknown. Recently the CIL acquired over 6,000 chest x-rays from the Veterans Administration for U.S. Army and U.S. Air Force MIA's. With thanks to Admiral Crisp, Dr. Holland, and historian Heather Harris the chest x-rays for U.S. Navy and Marine Corps MIA's have just been located. This new technology has the potential to resolve numerous World War II and Korean War cases. For World War II there are 8,617 Unknowns interred in National Cemeteries, and for Korea there are 853 Unknowns interred.

To get this new technology implemented I respectfully request that the House Armed Services Committee request funding for the establishment of a Central Identification Laboratory near the Armed Forces Identification Laboratory located in Rockville, Maryland. Additional funding will also be needed for the recruitment of forensic anthropologists and professional historians.

Thanks very much for your time.

Respectfully,

Ron Broward

## DRAFT

Deliberative Process Document, For Predecisional Discussion Purposes Only. Not Subject to FOIA release IAW Deliberative Process Privilege.

REPORT TO THE SENATE ARMED SERVICES COMMITTEE  
REGARDING THE ORGANIZATION, MANAGEMENT, AND BUDGETING OF THE  
JOINT POW/MIA ACCOUNTING COMMAND

The Senate Armed Services Committee's Senate Report 109-254, directed the Secretary of Defense to review whether the Joint POW/MIA Accounting Command (JPAC) is properly organized and funded to achieve the fullest possible accounting of personnel who remain missing as a result of hostile acts. The Committee identified three key questions to be addressed:

- Is the current alignment of JPAC under U.S. Pacific Command (USPACOM), and funded through the Department of the Navy, as Executive Agent for USPACOM, still appropriate and efficient?
- Can JPAC achieve efficiencies in its organization, management, and budget?
- Is JPAC adequately funded to effectively accomplish its mission?

JPAC was established on October 1, 2003, under USPACOM Permanent Order 03-01, which merged USPACOM's Joint Task Force-Full Accounting (JTF-FA) with the U.S. Army Central Identification Laboratory-Hawaii (USACILHI). At the time of the merger, the Department sought to facilitate unity of command, increase efficiency and effectiveness, and strengthen command and control relationships.

Now that JPAC has been in existence for over three years, we have concluded that while the merger did achieve some efficiencies, it also had unanticipated consequences that merit remediation. Moreover, given the current and future operating environment, we are considering whether a single organization should continue to be responsible for all historical personnel accounting activities worldwide. Recent issues involving funding and operational efficiency are symptomatic of some of our concerns.

**Background: Unintended Consequences of the Merger**

Prior to the 2003 merger, JTF-FA, under USPACOM, focused exclusively on the Vietnam War. In contrast, as Army's only active Central Identification Laboratory, USACILHI not only supported JTF-FA's missions in Southeast Asia, but also worked on Korean War losses in Northeast Asia, Cold War losses in the former Soviet Union, and World War II losses worldwide. The new, combined organization thus inherited a worldwide mission.

USACILHI had exercised its worldwide mission based on the authority delegated to the Army, as the Department's Executive Agent for Mortuary Affairs. Although there was debate over the proper alignment of the new organization, JPAC was created as a USPACOM unit. This arrangement reflected the fact that the large majority of requirements for personnel accounting involve losses in the USPACOM theater; the USPACOM commander at the time agreed to accept responsibility for the new organization; and there was no desire to incur the costs of moving the organization out of Hawaii. Nonetheless, after a review of more than three years of JPAC's existence, the success of the command relationship, in which JPAC is a direct reporting unit under USPACOM, has proved equivocal, both in terms of oversight and funding, and in terms of providing the authority and capability to support the worldwide mission.

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Placing JPAC as a direct reporting unit under USPACOM:

- vested responsibility for oversight, advocacy, and funding of JPAC and its worldwide humanitarian mission in a war-fighting regional command.
- eliminated functional oversight of the remains recovery and identification process previously exercised by the Army as the Department's Executive Agent for Mortuary Affairs; and
- placed funding for JPAC's remains identification laboratory—currently the Department's only central identification laboratory (CIL) in existence—under the Navy, despite Departmental regulatory guidance that assigned the Army responsibility for CILs.

Moreover, the merger did not adequately address several key matters, to include:

- funding for operations and infrastructure requirements to support worldwide personnel accounting;
- opportunities to leverage government-wide scientific and technological capabilities; and
- command and control issues related to JPAC operations outside USPACOM.

**Organization, Funding, and Efficiencies: Options the Department is Considering**

The Committee asked whether the current alignment of JPAC is still appropriate and efficient and whether JPAC could achieve efficiencies in its organization, management, and budget. The Department is considering options to address these concerns.

*Consolidate the Department's Remains Identification Capability*

First, we are examining whether consolidating the Department's remains identification capability for both current-day and historical deaths could improve personnel accounting, while also enhancing surge capacity to support current-day operations and possible future mass casualty events. Under this option, JPAC's laboratory would be consolidated or collocated with organizations that perform similar forensic, scientific, and technical functions, such as the Armed Forces DNA Identification Lab—which already supports JPAC—and the Armed Forces Medical Examiner—which has responsibility for current-day deaths. This option would involve the eventual relocation of the remains identification capability and a small portion of the current JPAC staff back to the east coast where both these organizations are located.

JPAC's operational mission to investigate the cases of missing Americans and recover their remains, and the large majority of its personnel, would stay in USPACOM. JPAC would retain sufficient forensic archaeologists to support field activities and provide a limited preliminary identification capability, but the bulk of worldwide identifications would be performed on the mainland.

This option offers several synergies, added effectiveness, and potential efficiencies and cost savings.

Centralizing historical remains identification capabilities will facilitate the CIL's ability to leverage other government forensic laboratories.

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- Recruitment and retention of highly trained scientific personnel would be enhanced by increased proximity to national laboratories, archives and institutions of higher learning, as well as improved opportunities for professional development and collaboration.
- Dedicating a group of forensic anthropologists solely to identifying remains, uninterrupted by field deployments, could increase the rate of remains identifications without adding staff.
- Moving the remains identification capability to the mainland, particularly if it were collocated with another laboratory, could result in infrastructure and cost savings that might outweigh the costs of the move itself.

US EAC com  
 MARRINE?  
 Col Ellis  
 DASD Army  
 Jim Casler  
 CDR Colame  
 US PAC org  
 Adjutant  
 Dr. Holland  
 LTC Smith  
 Harry Campbell  
 LTC Vohrt  
 LTC Cross

Moving the historical remains identification laboratory can be accomplished without affecting the scientific integrity of the identification process. Moreover, detaching the primary identification capability from JPAC follows the common practice in which centralized laboratories are separated geographically and organizationally from operational elements.

Working group  
 analyze  
 complexities  
 interim  
 report

Enhance Personnel Accounting Capacity in Other Theaters and Refocus JPAC Operations on USPACOM

The other concept we are considering involves a theater based capability, which is primarily exercised by the US Army as the Executive Agent for mortuary affairs, in all theaters. Under this model, JPAC will focus primarily on the PACOM theater, and be available to assist in training, consulting, and providing subject matter expertise for the other theaters. The CONUS-based lab would perform forensic identifications and help train all personnel in scientific remains recovery procedures. The Defense POW/Missing Personnel Office (DPMO) and other accounting community agencies would provide analytical support, and the Army geographic commanders would investigate cases and recover remains from past conflicts. This model allows regional commanders to be more responsive to short-notice requirements for remains recovery in their theaters, without the need to deploy a team, at greater expense, from Hawaii. Additionally, exploiting existing in-theater mortuary affairs capabilities for personnel accounting purposes enhances readiness for other contingencies.

must do  
 better job  
 of planning  
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 6-7 W  
 JPAC (PAC)

Regardless of the course of action ultimately selected, we are increasing the level of engagement between the Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs (DASD(POW/MPA)) and the leadership of the regional combatant commands. We will also strengthen our relationship with the Army in its role as Executive Agent for mortuary affairs.

OTSB  
 improve  
 CoAs  
 VTC committee

Level of JPAC Funding

The Committee asked whether JPAC's current level of funding is appropriate. As the Committee noted, JPAC's funding baseline for FY06 was lower than the baseline for FY04, the first year of JPAC's existence following the merger. During FY05 and FY06 the Department supplemented JPAC funding through the unfunded requirements process and other means. Unfortunately, the timing of additional funding in FY06 came too late in the budget cycle to avoid a reduction in planned operations already negotiated with the relevant governments. In FY07, Congress directed the Department to allocate JPAC an additional \$4 million, which will allow for a full schedule of personnel accounting operations.

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Starting with FY08 the Department has requested additional funding for JPAC that should allow for sustained and robust support of the accounting mission across the future years defense program. This should cover operations at the current level in Southeast Asia, South Korea, China, and Russia, and a level of effort for worldwide World War II accounting that is far short of comprehensive and unlikely to keep up with increasing public demand. Restarting the effort in North Korea without degrading operations elsewhere will require significant additional resources. Currently, resuming a full year's operations in North Korea would consume a large majority of the portion of JPAC's budget that is available to fund operational missions and not tied up by required expenditures. ?

The increased visibility of the accounting community budget recently mandated by Congress will help ensure that JPAC's capabilities are being used to their fullest extent. DPMO, as the office responsible for policy, control, and oversight of the accounting mission, is in the best position to manage that visibility in order to advocate for JPAC and other accounting organizations in the programming and budgeting process. To that end, DPMO has established a new position filled by a specialist experienced in the defense programming and budgeting process. At the same time, DPMO will increase its visibility into JPAC's and other accounting community agencies' budgeting processes so as to better coordinate the efforts of the disparate organizations and ensure the accounting community is employing its capabilities most effectively.

#### Conclusions

The Department has examined the Committee's questions and is exploring options to enhance the personnel accounting mission. In particular, DPMO will evaluate the possibility of moving the remains identification function out of JPAC to the mainland, refocusing JPAC efforts on the Pacific region, and encouraging development of an organic personnel accounting capability in other regional commands, as appropriate for their unique requirements. ?

On behalf of the Department, DPMO will work with the Joint Staff, USPACOM, JPAC, the Services, and other appropriate agencies to examine these options and their potential implementation, while also remaining open to other solutions that might emerge. We also will consider the views of nongovernmental personnel and organizations interested in the POW/MIA accounting mission. In this fashion, we will ensure that our personnel accounting mission is conducted as effectively and efficiently as possible, to support those who go into harm's way on behalf of our nation. INCLUDE S. K. W. A. E. I

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THE UNDER SECRETARY OF DEFENSE  
2000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-2000

JUL 22 2008

The Honorable Carl Levin  
Chairman, Committee on Armed Services  
United States Senate  
Washington, DC 20510-6050

Dear Mr. Chairman:

Senate Report 109-254, accompanying the National Defense Authorization Act for Fiscal Year 2007, requested the Secretary of Defense to review the organization of the command and funding relationship between the Joint POW/MIA Accounting Command (JPAC), the U.S. Pacific Command, the Department of the Navy, and the Department of Defense to determine if the current alignment is appropriate and efficient considering JPAC's mission; and to report to the congressional defense committees on the Department's review of these matters and actions it considers appropriate to address.

Enclosed are the results of our initial review. We will continue to maintain the Department's effectiveness in the accounting mission with periodic evaluations of JPAC and the relevant issues. We will keep the Committee abreast of our results so you may provide informative answers to the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric S. Edelman".

Eric S. Edelman

Enclosure:  
As stated

cc:  
The Honorable John McCain  
Ranking Member



REPORT TO THE CONGRESSIONAL DEFENSE COMMITTEES  
REGARDING THE ORGANIZATION, MANAGEMENT, AND BUDGETING OF  
THE JOINT POW/MIA ACCOUNTING COMMAND

Senate Report 109-254, page 328, accompanying S. 2766, the John Warner National Defense Authorization Act for Fiscal Year 2007, requested the Secretary of Defense to review whether the Joint POW/MIA Accounting Command (JPAC) is properly organized and funded to achieve the fullest possible accounting of personnel who remain missing as a result of hostile acts. The Committee identified three key questions to be addressed:

- Is the current alignment of JPAC under U.S. Pacific Command (USPACOM), and funded through the Department of the Navy (DoN), as Executive Agent for USPACOM, still appropriate and efficient?
  - The Department's assessment is that JPAC's alignment under USPACOM, with funding through the DoN, meets the needs and requirements of the current environment.
- Can JPAC achieve efficiencies in its organization, management, and budget?
  - The Department has implemented steps that resulted in improvements in organization, management, and budget. The Department, through the Defense POW/Missing Personnel Office (DPMO) will continue to evaluate JPAC's mission and requirements to maintain the organization's effectiveness for future challenges.
- Is JPAC adequately funded to sustain a robust POW/MIA accounting effort?
  - JPAC is funded to meet its current mission, excluding operations in North Korea, if those should be resumed at some point. The Department will periodically review JPAC's budget and ensure effective use of other Department resources to ensure fulfillment of mission requirements.

**Background**

JPAC was established on October 1, 2003, under USPACOM Permanent Order 03-01, which merged USPACOM's Joint Task Force-Full Accounting (JTF-FA) with the U.S. Army Central Identification Laboratory-Hawaii (USACILHI). At the time of the merger, the Department sought to facilitate unity of command, increase efficiency and effectiveness, and strengthen command and control relationships.

Prior to the 2003 merger, JTF-FA, under USPACOM, focused exclusively on accounting for personnel from the Vietnam War. In contrast, as Army's only active Central Identification Laboratory, USACILHI, not only supported JTF-FA's missions in Southeast Asia, but also worked on Korean War losses in Northeast Asia, Cold War losses in the former Soviet Union, and World War II losses worldwide. The new, combined organization thus inherited a worldwide mission.

USACILHI had exercised its worldwide mission based on the authority delegated to the Secretary of the Army, as the Department's Executive Agent for Mortuary Affairs. Although there was debate over the proper alignment of the new organization, JPAC was created as a USPACOM unit. This arrangement reflected the following factors: the large majority of requirements for personnel accounting involve losses in the USPACOM theater; the USPACOM commander at the time agreed to accept responsibility for the new organization; and there would be significant costs associated with moving the organization out of Hawaii.

#### **JPAC's Alignment and Efficiencies**

The Committee asked whether the current alignment of JPAC is still appropriate and efficient, and whether JPAC could achieve efficiencies in its organization, management, and budget. The Defense POW/Missing Personnel Office (DPMO) conducted an initial review of these questions and identified options for addressing issues revealed. During the course of this review, DPMO conducted discussions with the stakeholders within the personnel accounting community, including military agencies and nongovernmental organizations with significant experience in this arena.

The initial review produced a better understanding of the complex issues underlying the evolving personnel accounting mission. The Department implemented steps that have resulted in improvements in JPAC mission analysis, execution, and financial accounting. These include the creation of an independent personnel accounting budget exhibit increasing visibility on JPAC's budget, and the development of communication avenues more responsive to budgetary requirements. JPAC has planned and executed more missions in the past year than in any previous year, not including missions conducted in the DPRK prior to suspension of operations in 2005.

The Department, through DPMO, will continue to conduct periodic reviews of the organization and efficiencies of the personnel accounting mission, as well as the relationships among the various agencies involved. The current review includes an evaluation of the identification process in order to decrease the time between accession and identification; the impact of expansion of the WWII accounting mission; and ways to optimize the Department's resources further. This constant evaluation process will allow the Department to maintain its mission effectiveness for future challenges.

#### **JPAC Funding**

The Committee asked whether JPAC's funding is appropriate and efficient. As the Committee noted, JPAC's funding baseline for FY06 was lower than the baseline for FY04, the first year of JPAC's existence following the merger, as a result of DoD-wide reductions. During FY05 and FY06, the Department supplemented JPAC funding through the unfunded requirements process and other means, which led to a \$48.2 million executed budget in FY06, as depicted in the attached budget exhibit. Unfortunately, the timing of additional funding in FY06 came too late in the budget cycle to avoid a reduction in planned operations already negotiated with the relevant governments. For FY07, Congress appropriated additional funding for JPAC, which will allow it to reach

its operational capacity, excluding any DPRK operations if resumed. Gained efficiencies have allowed JPAC to meet its operational commitments.

Starting with FY08, the Department has requested additional funding for JPAC that will allow for sustained and robust support of the accounting mission across the future years defense program. This would cover operations at the current level for the Vietnam Conflict and the Korean War, with the exception of any DPRK operations. It also provides for expanding the level of effort for World War II accounting in the Pacific and European theaters. JPAC will continue to monitor the operational environment and adapt operations to leverage opportunities for expansion or contract operations within each conflict where required, as more accounting information is gathered and host nations allow increased access.

Restarting the effort in North Korea without significantly degrading operations elsewhere would require additional fiscal resources. The gap between budgets and requirements in the attached budget exhibit represents the anticipated additional requirements if JPAC were to resume operations in North Korea.

DPMO, as the office responsible for policy, control, and oversight of the POW accounting mission, will manage budget matters and advocate for JPAC and other personnel accounting organizations in the programming and budgeting process, as well as review resource allocation by conflict. To that end, DPMO has established a new position filled by a specialist experienced in the defense programming and budgeting process. At the same time, DPMO will increase its visibility into JPAC's and other accounting community agencies' budgeting processes so as to coordinate the efforts of the disparate organizations more effectively and to ensure the POW/MIA accounting community is employing its capabilities in the best interests of the United States. The increased visibility into the budgets will help ensure that JPAC's capabilities are being used to their fullest extent.

#### **Conclusions**

Based upon DPMO's initial review of the Committee's questions, the Department believes JPAC is funded and staffed to meet its current mission, and notes the progress made in the organization and efficiency of JPAC over the past few years. DPMO will continue to review organization and efficiencies to enhance the effectiveness of the personnel accounting mission. The Department will continue to evaluate issues of concern, options for addressing identified problems, potential implementation of those options, and opportunities to continue the significant progress JPAC has made. As part of this process, DPMO will continue to consider the views of nongovernmental personnel and organizations interested in the POW/MIA accounting mission. In this fashion, the Department will ensure that the personnel accounting mission is conducted as effectively and efficiently as possible, to support those who go into harm's way on behalf of our nation.

**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**

**March 2009**

**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, 2007, and 2008.

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 twenty-three additional Unknowns 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 126 identifications of Korean War MIA's in the last 56 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 75% - 80% 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>U.N. Military Cemetery</u>	<u>Men Not Returned</u>	
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, 65% of recoveries and identifications are from World War II and Korea, yet 75% of mission scheduling and funding is devoted to Southeast Asia

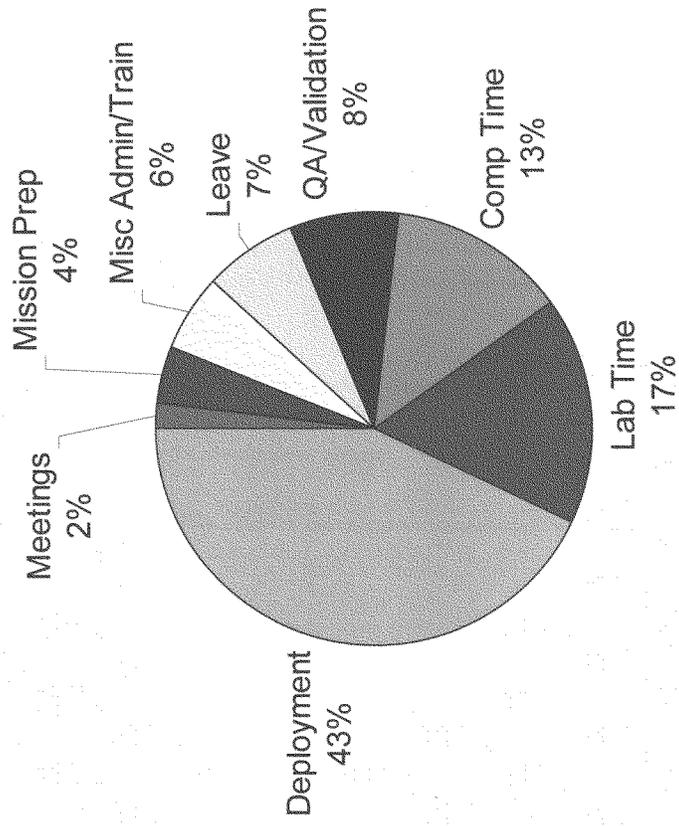
Increased need for forensic anthropologists, historians, and odontologists has not been met. As a consequence, forensic anthropologists on staff can only spend 17% of their time in the laboratory on identifications. **(Time Allocation graph attached.)**

**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%
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 65% of recoveries and identifications are from World War II and Korea since 2004.

**NEW PLAN FOR ALLOCATION OF RESOURCES**

<u>Identifications 2004 through 2008</u>	<u>375</u>	
Southeast Asia	132	35%
World War II	161	43%
Korea	82	22%

<u>JPAC Mission Schedule 2008</u>	<u>Total</u>	<u>69</u>
Southeast Asia	44	64%
World War II*	20	29%
Korea	5	7%

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

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

Of the total 375 Identifications 2004 through 2008, **58 or 16% 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:

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

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

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

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

<u>Teams Deployed 2008</u> 69			<u>Identifications 2008</u> 68		
Southeast Asia	44	64%	Southeast Asia	23	34%
Worldwide	20	29%	World War II	26	38%
South Korea	5	7%	Korea	19	28%

**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 1433 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-six 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 2008, there have been 661 identifications of American military from Southeast Asia, World War II locations, and Korea.

<u>Identifications: Years 2000 through 2008</u>	<u>685</u>	
Southeast Asia	310	45%
World War II	274	40%
Korea	101	15%

<u>Identifications: Years 2005 through May 2008</u>	<u>315</u>	
Southeast Asia	103	33%
World War II	140	44%
Korea	72	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 50<sup>th</sup> Anniversary Commemoration of the Korean War, the General Dean Center was constructed at Yongsan. The 8<sup>th</sup> 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.***

**DISCLOSURE FORM FOR WITNESSES  
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

**Witness name:** Ronald D. Broward

**Capacity in which appearing:** (check one)

Individual

Representative

**If appearing in a representative capacity, name of the company, association or other entity being represented:** \_\_\_\_\_

**FISCAL YEAR 2009**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	0	0	0

**FISCAL YEAR 2008**

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
0	0	0	0

**FISCAL YEAR 2007**

Federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant
0	0	0	0

**Federal Contract Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2009): 0 ;  
 Fiscal year 2008: 0 ;  
 Fiscal year 2007: 0 ;

Federal agencies with which federal contracts are held:

Current fiscal year (2009): 0 ;  
 Fiscal year 2008: 0 ;  
 Fiscal year 2007: 0 ;

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2009): 0 ;  
 Fiscal year 2008: 0 ;  
 Fiscal year 2007: 0 ;

Aggregate dollar value of federal contracts held:

Current fiscal year (2009): 0 ;  
 Fiscal year 2008: 0 ;  
 Fiscal year 2007: 0 ;

**Federal Grant Information:** If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 ;

Federal agencies with which federal grants are held:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 ;

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 ;

Aggregate dollar value of federal grants held:

Current fiscal year (2009): 0 ;  
Fiscal year 2008: 0 ;  
Fiscal year 2007: 0 ;

Statement for the Record of

Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs

Charles A. Ray

To the  
House Armed Services Subcommittee on Military Personnel  
For a Hearing on  
“Improving Recovery and Full Accounting of POW/MIA Personnel from All Past  
Conflicts”  
April 2, 2009

I very much appreciate the interest the House Armed Services Subcommittee on Military Personnel maintains in the Department of Defense’s mission to obtain the fullest possible accounting of Americans lost while serving in harm’s way. Likewise, I truly welcome the opportunity this Subcommittee has extended to the Department to lay out its views on how we are moving to enhance the success of this critical mission.

One of the primary reasons the Defense POW/Missing Personnel Office (DPMO) was formed in 1993 was to ensure the families, the veterans service organizations, and the American public in general, received all releasable information our government has assembled on the cases of our citizens who became missing as a result of hostile actions while serving the interests of our Nation. In my agency alone, we devote approximately one-third of our resources to ensuring that these groups and the Congress remain fully informed of our efforts and our progress. Also, as you may know, families are entitled to

receive all declassified information that pertains to their cases. We take this commitment seriously, and we work hard at it every day.

**Personnel Accounting Community Strategy**

Our goal is to provide equitable treatment to all groups representing all conflicts. Last summer I testified that we were in the process of reviewing our strategy to account for our missing. I am pleased to report today that we recently completed updating our Personnel Accounting Community Strategy so it better reflects sound management and business practices while honoring the sacrifices of all of our brave men and women, regardless of the conflict in which they were lost. I previously provided copies of the strategy to this Subcommittee and today I am including a copy for the record along with my statement.

The Personnel Accounting Community Strategy has three purposes. First, our strategy explains the strategic themes underlying our mission which provide the basis for our policies which drive our operations. Next, it describes the current efforts we are making to ensure the entirety of the Accounting Community has a common understanding of our requirements and practices. Finally, it explores the possible mission environment of the near future and describes the challenges we will face and the goals we will pursue to adapt to these emerging requirements.

The strategy also details the requirements placed upon us, the environments in which we operate, and the collective actions we must take to ensure we maximize mission accomplishment. In implementing the strategy, each agency within the Personnel Accounting Community is responsible for developing its own unique organizational strategy and operational plans that will best and most fully support these requirements within the constraints of our mission environment and resources. Each organization has specific and unique internal expertise that enables it to best conduct its own planning for meeting mission goals; but coordination and cooperation between the Community's diverse agencies is absolutely crucial to ensuring all of our requirements are met and gaps are filled.

This strategy looks forward five to seven years and it has the following strategic goals:

- Provide the most effective operational capability for the mission.
- Ensure the availability of adequate resources to accomplish our mission.
- Maintain unity of effort.
- Provide transparency in community efforts.

Our strategic themes are:

- We serve the interests of the missing individual.
- The American public has expectations that must be addressed.
- There are geopolitical limitations on this mission and desirable geopolitical outcomes that extend beyond this mission.

The modern personnel accounting mission was shaped largely in response to public concerns raised during and after the Vietnam War. With the passage of time and our successes in recovering, identifying, and returning hundreds of formerly missing Americans, many of those concerns have been overcome. Personnel Accounting has evolved into an institutional mission that will continue into the foreseeable future. It continues to serve as an engagement tool with countries around the world and, as such, the accounting mission supports the National Security Strategy and the National Defense Strategy. With that in mind, and with agreement among community members that every unaccounted-for individual is equally important, this strategy reinforces personnel accounting's role as an enduring mission for the Department of Defense. We will continuously evaluate and review our strategy and update it, as necessary.

#### **Allocation of Resources Across Conflicts**

As I also stated before this Subcommittee in last July's hearing, we are taking a hard look at how we allocate our limited resources across different conflicts. When I

meet with family members of our missing -- as I do virtually every month -- I do not see World War II, Korean War, Cold War, or Vietnam War; I see Americans who have sacrificed so much for this country, and who are entitled to have their sacrifices respected and honored.

There are more than 80,000 Americans who did not return from World War II, the Korean War, the Vietnam War, and the Cold War. Each month, when we hold our Family Update meetings in cities and towns across the country, we see the grief and the pain that so many of the families of our unaccounted-for service members still suffer, some after more than 60 years. This pain is real, and it is never-ending -- there is no closure for these thousands of American citizens. Therefore, as long as this nation and its government remain committed to finding its missing sons and daughters, we will continue to carry on this mission.

I am pleased to report that we are in the final stages of writing our Community guidance. As the Subcommittee is well aware, the strategy that we've been using since 2006 primarily allocated resources based on the "most recent conflict first." This guidance will further define and seek to implement the broad themes contained in our recent Personnel Accounting Community Strategy. The goal of our new policy guidance is the fullest possible accounting of Americans who did not return home from past conflicts and the recovery of those who still might be held captive, determining which

remains are recoverable, and recovering and identifying the remains of those who perished.

Although the requirements to achieve this goal differ according to the circumstances associated with each loss and, more importantly, by conflict, the sacrifice made by each missing American is equally important, not only to his or her family, but also to a grateful nation. The guidance we are developing also covers allocating resources among the conflicts, and incorporates standards applicable to all losses, regardless of conflict. It also reflects requirements unique to each conflict, to include research, investigation, analysis, excavations, and remains identifications. This new approach will be used to allocate resources over the next five years. It will no longer be based primarily on allocating resources by the “most recent conflict first,” but now will be based on prioritizing all aspects of the mission. Our first priority will continue to be resolving the cases of those from past conflicts who were captured or possibly could have been captured and did not return. The next priority will be to seek to maintain the remains recovery operations tempo of the last five years; build the capacity to double the number of identifications without reducing operations or shifting focus; ensure our capacity to respond to short-notice requirements; and increase investigation, research, and analysis support. This policy guidance will be used to develop more detailed guidance and strategies for World War II, the Korean War, the Cold War, and the Vietnam War.

We have already begun some initiatives to accomplish the goals of this guidance. Most notably is our goal to double the number of identifications, an issue I have previously discussed with the Subcommittee. In January, we contracted for a study that is looking at doubling the rate of identifications over the next five years. I must emphasize that this study had no preconditions on whether or not the Joint POW/MIA Accounting Command's (JPAC) Central Identification Laboratory should be moved or another satellite laboratory built elsewhere. We simply directed the contractor to look at the best way to double the rate of identifications. We hope to soon have some preliminary results to share with the Subcommittee.

On a related issue, over the past year we have worked with the Joint Staff and the Military Departments on ways to improve the collection rates of DNA reference samples from families of our missing. I asked the Joint Staff for its views on this important effort, and they have determined that additional resources could make an improvement in this area. We are hopeful they will be able to allocate those resources to the Military Departments and we can enhance our rate of collections. We also are continuing to seek to reinvigorate the United States-Russia Joint Commission on POWs and MIAs through the diplomatic process.

**Transition from Current Conflict to Post Conflict Accounting**

We are continuously seeking ways to improve how we deliver our service – keeping the promise that our government has made to account as fully as possible for those became missing while serving our nation. But our first and foremost efforts today are to bring back alive those who now and in the future go into harm’s way.

Our primary obligation as a government is to bring everyone home alive from foreign battlefields, as such; I am responsible for developing policy to honor this obligation. I am sure you have seen the heroic stories of those rescued from today’s conflicts, but a little-known and seldom mentioned fact is that there is only one soldier missing from Operation Iraqi Freedom in Iraq, and none from Afghanistan. We also have a small number of civilian contractors missing from those conflicts. We see this dramatic shift as a direct result of circumstances related to at least two areas: The first is technology which enables us to keep track of our own people on the battlefield, and to bring them out of harm’s way, if need be; the second is the fact there are lessons learned from previous conflicts that we apply to today’s combat scenarios. Capitalizing on the Department’s expertise in personnel recovery, my office, under the sponsorship of the National Security Council’s Counterterrorism Steering Group, is leading efforts to develop policy to integrate a whole-of-government approach to personnel recovery. This effort is codified in a personnel recovery annex and addendum to National Security Presidential Directive 12, “U.S. Citizens Taken Hostage Abroad.” In this annex the concept of personnel recovery is integrated into national policy, thus synchronizing all

United States Government capabilities in the preparation, prevention and response efforts to recover isolated persons.

Last summer, I testified that we were preparing to make a transition from current conflict accounting to post conflict accounting (for example when the few cases of those missing from our current conflicts will transition from the combatant command's responsibility for accounting to DPMO-JPAC responsibility). We are working with the combatant commands and the Military Departments, in accordance with existing Department of Defense instructions, to ensure a smooth transition. To assist this effort, the Joint Personnel Recovery Agency is conducting a capabilities-based assessment to determine how to best accomplish and resource this mission.

#### **The Way Ahead**

To continue our success into the future, I believe we must leverage technology more effectively, and this includes using information technology to communicate better with our constituents and to gather the information that is essential to resolving cases. To this end, we have taken initial steps to develop a technology for information sharing that will allow not only the analysts and researchers from all the personnel accounting community organizations to share information and analysis on a collaborative basis, but also will allow families to access information related to their specific case.

Foremost, our current efforts have been directed at ways to ensure that we avoid getting locked into fixed strategies or ways of doing business. Today's mission of accounting for our missing arose from the government's efforts during and following the Vietnam War; but although both warfare and technology has changed, the never-ending pain of having a missing loved one has not changed. I see this every day, as I interact with our families. This effort to account for the missing from all conflicts is one promise that I will not abandon.

To effectively serve our constituents, we must constantly evaluate and assess our methods of operations, resource bases, and command relationships to ensure they are doing what we need and want them to do. Those things that are not serving the purpose for which they were intended must be clearly identified, then changed or eliminated.

Several years ago Congress asked the Department for an assessment of the organization and funding of JPAC. We completed this study and reported to Congress. However, we did not stop our analysis there. We are currently discussing with officials within the Office of the Secretary of Defense and the Joint Staff whether our current organizational structure is sufficient or if a significant reorganization of the entire personnel accounting and personnel recovery communities is warranted. These discussions are preliminary and it is too early to fully brief the Subcommittee on them; however, I will keep you informed of our progress.

We must continue to honor the sacrifices of our heroes of past conflicts, but we must also keep our eyes on both the present and the future. We owe a debt to those who are currently serving our Nation, as well as those who will serve in the future. That debt is to do all that we can to ensure them we will “keep the promise.”

We must encourage out-of-the-box thinking on this issue. While we shouldn't reject tradition just for the sake of doing things differently, we shouldn't allow tradition to become a straitjacket to innovation.

I have touched on our current directions in accounting for our historical losses, as well as on several issues directed at our future efforts and our future commitments. I have thoroughly enjoyed leading this issue for the Department over the last several years and working with Congress, in general, and with this Subcommittee, in particular. On behalf of all the men and women within the Department who work this issue every day, I thank you for your concern and your continued support of this very important issue.

NOT FOR PUBLICATION UNTIL  
RELEASED BY THE  
HOUSE ARMED SERVICES COMMITTEE

STATEMENT FOR THE RECORD OF  
REAR ADMIRAL DONNA L. CRISP  
COMMANDER, JOINT POW/MIA ACCOUNTING COMMAND  
BEFORE THE  
HOUSE ARMED SERVICES COMMITTEE  
SUBCOMMITTEE ON MILITARY PERSONNEL

April 2, 2009

NOT FOR PUBLICATION UNTIL  
RELEASED BY THE  
HOUSE ARMED SERVICES COMMITTEE

Submitted for the Record\_FINAL\_30 March 2009

Madam Chair and Members of the Committee:

Thank you for this opportunity to appear before you today. I am pleased to provide an update on the Joint POW/MIA Accounting Command (JPAC), after my first year as the Commander and nine months following my last appearance before your committee. First, on behalf of the men and women of JPAC, I want to again express my sincere appreciation for your continued support to our personnel accounting efforts.

You heard from family members, veterans, and concerned citizens in the first panel, each with very diverse backgrounds and perspectives. All are important to us and we are appreciative of their support to our humanitarian mission. Delegation visits like Ms. Ann Mills-Griffiths just returned from and those the Veteran Service Organizations undertake each year serve to reinforce the United States Government's commitment on the POW/MIA issue and demonstrate the importance of our issue to the families of those who remain unaccounted-for as well as the veterans who served with these men. As I meet with officials from the governments of Vietnam, Laos and Cambodia, I regularly hear how much they appreciate these delegation visits.

As Ambassador Ray noted, our goal is to provide equitable treatment toward all conflicts; and application of our resources across all conflicts from World War II through the Vietnam War has been one of my priorities since taking command of JPAC. In addition to our field operations, much of my focus over the past nine months has been on ensuring JPAC is structured to effectively and efficiently accomplish our mission, to provide a quality work environment for the men and women of JPAC, and establish processes which will sustain and improve the organization and mission into the future.

JPAC currently has 348 assigned military and civilian personnel, 86 percent of our total authorization. Our personnel maintain a very high operational tempo (OPTEMPO), conducting on average 72 research/investigation and excavation missions per year and deploying approximately 113 days per year. While maintaining this high mission OPTEMPO, JPAC identifies on average 70 Americans per year, providing long awaited answers to families, fellow Veterans, and the American people.

In 2008 we worked in 15 countries and completed 72 missions. We conducted 21 World War II missions to include the first ever operations in the Republic of India. We continued our emphasis in the Kingdom of Cambodia, Lao People's Democratic Republic, and the Socialist Republic of Vietnam accomplishing a total of 45 investigation and recovery missions. And, we remained active on Korean War accounting having conducted five missions in the Republic of Korea while we also completed one Cold War mission in Laos.

We were successful in identifying 80 Americans who lost their lives in service to our Nation during past conflicts; this is a 14% increase over the 2004 – 2007 average. Of these, 26 were from the Vietnam War, 24 from the Korean War, 27 from World War II and three from World War I. Of note, this represents very close to equal distribution

Submitted for the Record\_FINAL\_30 March 2009

across the three major conflicts; an achievement I am pleased to report and one that is in keeping with the guidance JPAC receives from the Office of the Secretary of Defense (OSD).

This year, we are working in 12 countries, conducting 62 missions to account for those missing from World War II, Korean War, and the Vietnam War. Our FY09 Operations Plan includes 40 Vietnam War missions in Laos, Cambodia and Vietnam; six Korean War missions in South Korea and China; and 16 World War II investigation and recovery missions in Papua New Guinea, Vanuatu, Suriname, India, China, Hungary, Germany, and the Netherlands. In addition to our field operations in South Korea, we also continue emphasis in our Laboratory and J2 Research & Analysis section analyzing information associated with Korean War "unknowns" buried in the National Memorial Cemetery of the Pacific, also known as the Punchbowl. JPAC, in collaboration with the Defense Prisoner of War / Missing Personnel Office and the Armed Forces DNA Identification Laboratory has on-going research activities and scientific research programs to advance our abilities to identify America's heroes buried as unknowns in the Punchbowl.

Over the past nine months, JPAC conducted extensive bilateral discussions to advance the accounting mission, not only with our traditional counterparts in Cambodia, Vietnam, and Laos, but also with our constant supporters in South Korea, Papua New Guinea, and Palau. We signed a tri-lateral agreement between Hungary, Russia and the U.S. which will allow us to conduct an exhumation in a Russian Cemetery in Hungary believed to contain the remains of an American soldier missing from World War II. In 6 short months we held negotiations and reached agreement on operations in India and remained focused on resuming operations in the People's Republic of China. We are joint partners with our host nations in this humanitarian mission.

In addition to continuing our operational focus, we have also concentrated on process and fiscal improvements both in our partnerships with foreign countries as well as internal to JPAC. We conducted a 20-year assessment with the Socialist Republic of Vietnam, reviewing lessons learned, areas of mutual interest, and discussing the "way ahead" for the future. We have also realized very positive progress in Laos in how we conduct our Joint Field Activities. After many years of negotiations we achieved success in securing agreement for our teams to redeploy from airports closer to our excavation sites. This not only will allow us to save money but maximizes our team's time on the sites. While this may seem like a small matter, it took years to achieve and represents greater flexibility and a continuing support from the Lao People's Democratic Republic. The Kingdom of Cambodia has been and continues to be extremely cooperative and supportive our humanitarian mission.

Family Reference Samples (FRS) is an important component to assist in establishing identifications. JPAC continues to work with the Joint Staff, OSD, the Services and the Armed Forces DNA Identification Laboratory to improve the percentage of FRS collection across all conflicts.

Submitted for the Record\_FINAL\_30 March 2009

Recruiting and retention of our scientific staff has been a focus of mine over the past year. We have implemented several programs such as student loan repayment, creation of developmental positions leading to senior positions, and relocation and recruitment bonuses to name of few. We are already realizing results from these initiatives. Our laboratory is currently at 78% of our authorized federal staffing and I have reallocated five billets from within the command to recruit additional anthropologists. In addition to federal government employees, the laboratory has 15 full time fellows which when added to the federal employees equates to 110% of the laboratory work year requirement.

One of our improvements in the past year has been the establishment of a Forensic Science Academy at JPAC. Our Academy, in partnership with Universities in Hawaii and abroad, provides in-depth knowledge and hands on experience in forensic anthropology, archaeology, and human osteology in the laboratory and the field. In addition to tremendous support from the University of Hawaii, we also signed a Memorandum of Agreement with Khon Kaen University in Thailand to permit JPAC scientists to further their technical expertise in the study of skeletal remains. This is particularly important for our work in Vietnam era cases to assist in distinguishing Mongoloid from Caucasoid skeletons. The Forensic Science Academy has been a win-win enterprise, increasing the knowledge skills and abilities of our JPAC scientific staff while attracting a new generation of PhD candidates from Universities throughout the United States. The preliminary results from the first class show that 50% of the students desire to work at JPAC upon graduation.

Our scientists continue to excel in research and development of innovative forensic identification tools and techniques. Over the past two years their focus has been on the study of cranial suture patterns, video superimposition and clavicle bone patterns which, once validated, published, and accepted in the forensic science community, should increase our identification rates. This new identification technique is a significant capability applicable to our Korean War unknowns.

Innovative technologies such as Geographic Information Systems, or GIS, are also being developed within JPAC. This technology assists in case development, research, field investigation, excavation, and the identification process. GIS allows us to view, understand, question, interpret, and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts. GIS helps our scientists and analysts answer questions and solve problems by looking at data in a way that is quickly understood and easily shared. We are sharing this deployable technical capability with the accounting community, helping to provide a bridge to information, developing a common architecture and further enhancing our efforts toward the fullest possible accounting of American's missing from past conflicts.

Since my last opportunity to speak with you, we have more than doubled our total laboratory analytical space. This was accomplished by adding a 2,000 square foot extension on to our existing laboratory. When I departed Hawaii last week the remains

Submitted for the Record\_FINAL\_30 March 2009

of more than 80 American servicemen were under analysis; this is almost twice the number under analysis this time last year. We are also finalizing the renovation of approximately 7,000 square feet of space in a building on Pearl Harbor. By this summer, I expect 50 to 60 more remains, unilaterally turned over by the North Koreans in the early nineties and often referred to as the "K-208", to be completely moved to the facility at Pearl Harbor. This will triple our analytical table space and for the first time in 19 years, our scientists will be able to analyze these remains in detail without interruption of other cases.

In addition to improvements in our laboratory, we have also improved the work space and environment for many of our JPAC staff. We replaced condemned trailers with modular buildings and continue to renovate several other trailers. While not ideal to have our staff and laboratory space divided on three military installations, we are quite pleased to have the additional space and look forward to the completion of our MILCON project when our entire Hawaii based organization will be in the same location.

This gives you a brief update on JPAC. I believe we are poised for the future, we are in the right location, and we have the full support of the U.S. Pacific Command.

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.



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**DOCUMENTS SUBMITTED FOR THE RECORD**

APRIL 2, 2009

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TRIP REPORT: LEAGUE DELEGATION TO SOUTHEAST ASIA

March 15-31, 2009

**Preface:** This was the seventh independent League delegation to Vietnam, Laos, Cambodia and Thailand since the end of the Vietnam War, though the League Executive Director has participated in over 20 postwar U.S. delegations to Southeast Asia since 1982 as the only non-government representative. In addition, meetings have been held with senior officials of each of these countries in New York, Washington, Honolulu and Bangkok. Such missions were undertaken for specific reasons, usually when Vietnamese or U.S. Government focus and priority were slipping and/or official U.S. messages were conflicting or confusing. Each trip was to urge greater seriousness and cooperation by all involved, and to define expectations based on available US Government evidence. In preparing for League delegations, as in all material published by the League, only data from official U.S. organizations and agencies is used. A summary report was prepared as soon as possible following the trip and sent by mail to all League members, as well as distributed via Internet and posted on the League's website.

With the exception of the Executive Director, all costs (flights, accommodations, meals and miscellaneous expenses) were either paid by the participants or donated by concerned veterans and other citizens who support the League and our accounting mission. Accumulated mileage points were used for the Executive Director's international flights, and expenses for her travel and accommodations while in Southeast Asia were paid by the League.

**SUMMARY:** Departing on March 15, 2009, League Executive Director Ann Mills Griffiths, Vice Chairman of the Board of Directors Mark L. Stephensen and Senior Policy Advisor Richard T. Childress met with high-level U.S. and foreign officials in Thailand, Vietnam, Laos and Cambodia. The Delegation was accompanied by Mrs. Elli Childress on social occasions and excursions to the field in Laos. U.S. Ambassadors to all four countries, Defense Attachés, Joint POW/MIA Accounting Command (JPAC) Detachment Commanders in Bangkok, Vientiane, Phnom Penh and Hanoi, and Defense Intelligence Agency (DIA) Stony Beach research specialists participated in Delegation meetings, briefings and social events in all four countries. The Executive Director led the Delegation and handled advance communication, requesting appointments and reserving accommodations in each country.

**Thailand:** The morning after late arrival in Bangkok, Thailand, the Delegation received a Country Team briefing at the U.S. Embassy, hosted by Ambassador Eric John, and all appreciated the broad-based, current information presented. A good session was held with outgoing (now-retired) JPAC Detachment One Commander LtCol Pete Huddle, USAF, then-incoming, now Commander LTC Craig Tippins, USA, and Deputy Commander Major Marc Galler, USAF. We also had the opportunity to talk over a delicious dinner that evening. The scope of Detachment One's responsibilities is large, including primary logistics support for all Vietnam War accounting-related joint field operations and command responsibility for operations in Cambodia, plus command responsibility for WWII recovery operations in India and Burma. All were especially helpful in last-minute preparations to depart the next day for Laos.

**Laos:** The Delegation and DIA's Stony Beach specialist Brad Taylor were met on landing at Wattay International Airport in Vientiane by Ambassador Huso, LTC Deck, longtime JPAC Casualty Resolution Specialist Bill Gadoury and other U.S. Embassy and JPAC officials who facilitated arrival formalities. The four named U.S. officials accompanied the Delegation on all calls with the Lao. The senior Lao officials were Deputy Prime Minister Somsavat Lengsavad, Deputy Prime Minister/Minister of Foreign Affairs Dr. Thongloun Sisoulith, and Vice Minister of National Defense MG Somphet Thipmala. In each session, Lao POW/MIA specialists who regularly interface with JPAC and participate in POW/MIA accounting missions were present.

Objectives in meetings with all Lao officials included expressing appreciation for increased initiatives by the Lao Government to allow greater flexibility and continue improving the accounting processes, both joint investigations and excavations. The Delegation urged these very senior Lao officials to search for and provide their own archives, limited as they are known to be, and stressed the need for further Lao Government appeals to counterparts in Hanoi for relevant Vietnamese archives on cases in Laos, particularly along the Lao-Vietnam border, and the return to Vientiane of Lao archives reportedly taken earlier to Hanoi for "security" reasons. The League also urged permanent assignment in Vientiane of DIA's Stony Beach specialist, Dustin Roses, now that the two countries have formally exchanged Defense Attachés (DATTs) and are focused on improving bilateral military-to-military relations. (The exchange of attachés occurred in December of last year, the successful result of League efforts for well over a decade, and a step necessary for the permanent assignment in Laos of DIA's POW/MIA specialist.)

The Lao assured the League Delegation of continuing support and cooperation. There were noticeable improvements in the quality of joint operations, increased and enhanced interaction between US and Lao officials, and significant changes in attitude and openness on the part of Lao officials at all levels. While recognizing that cooperation on the POW/MIA accounting was the foundation upon which improved ties were built, the Lao leadership is focusing priority on a broad spectrum of US-Lao cooperation, expressed in all ministries. There was no immediate positive response on archive-related issues; however, the comparatively new Deputy Prime Minister/Foreign Minister expressed keen interest in delving into the League-provided documents, as did the Vice Minister of Defense. (These documents, including discrepancy case lists updated prior to each League Delegation since initial presentation in 1994, give clear evidence of the strong basis for pressing Vietnam to take unilateral actions on relevant archives.) Deputy Prime Minister Somsavat Lengsavad, a long-time interlocutor with the League, made a special point of requesting the League to make it known that Laos is ready to expand its cooperation in every field and hopes for public recognition of past cooperation.

The 108<sup>th</sup> Joint Field Activity (JFA) was ongoing in Houaphan and Xieng Khoang Provinces during the League visit; thus, the Delegation was privileged to again visit JPAC excavations and witness firsthand the professionalism, dedication and commitment of all involved, led by outgoing JPAC Detachment 3 Commander LTC Brandt Deck and his Lao counterparts, some of whom have worked the POW/MIA accounting effort for nearly three decades. The League Delegation and Deputy Chief of Mission Pete Haymond accompanied LTC Deck on his command visit by Lao military helicopter to four incident sites in northeastern Laos where excavations were underway. It was during these visits that the relationship between working level Lao and US officials was closely observed and noted as being better than yet seen. There was also a healthy and positive working relationship at each site between the JPAC team chiefs and scientific personnel and with the Detachment Commander, more so than has been evident in past years. This may be partially attributable to increased emphasis on cooperation within Laos and the Lao Government, but also to the approach taken by Special Forces-trained officers to problem-solving, coalition-building and mission accomplishment.

Especially interesting and enjoyable was the participation of BG Sisaphon Bangone Seng Det, the senior Lao Ministry of National Defense (MND) official involved in the field visit to northeastern Laos. Then Captain Sisophon was MND escort during the first post-war League Delegation in 1982 that included an historic visit to Houaphan Province, including Vieng Xai and Sam Neua, former headquarters of the Pathet Lao. Interacting repeatedly since 1982, BG Sisaphone is now the MND Director General, #3 in their structure. Also instructive was the impact JPAC's field operations have had and continue to have on the local populace, including economic impact, as there is clearly an economic advantage to working with the U.S. to facilitate field operations. The manner in which these operations occur is very impressive, well-structured and highly efficient, particularly given conditions and circumstances in these areas.

**Cambodia:** Without a permanent JPAC Detachment in Cambodia, support for the League Delegation fell mostly to the Country Team, primarily to Defense Attaché (DATT) COL Frank Matheson, USA, and the two DIA POW/MIA/Stony Beach specialists assigned full time to the U.S. Embassy in Phnom Penh, Pete Loverde and Mary Dinh.

The primary objective was to thank senior policy officials and Cambodia's very high level POW/MIA Committee for Cambodia's outstanding support, ask them to initiate further appeals to officials in Vietnam for archives on cases in Cambodia, particularly along the Cambodia-Vietnam border, and urge them to seek cooperation from their Lao and Vietnamese counterparts to initiate trilateral archival research efforts. Though only two days were spent in Cambodia, the visit was very productive.

All senior officials in the Kingdom of Cambodia were very responsive to the League's requests and stated willingness to do all in their power to expedite the accounting effort. In a spirit of reciprocity, the League Delegation members offered to do what was possible to acquire information from U.S. military and Veterans Service Organizations to address Cambodia's concerns on military reform and adaptable concepts for programs to assist Cambodian veterans. Cambodian officials at all levels are proud of their record of support for U.S. accounting efforts and appreciate being recognized for their outstanding cooperation.

Meetings were held with Deputy Prime Minister/Minister of Interior Sar Kheng, Minister of Foreign Affairs Hor Nam Hong and General Neang Phat, Secretary of State for the Ministry of National Defense. The League hosted a luncheon for the Cambodian POW/MIA Committee and involved U.S. officials, including COL Matheson, Deputy JPAC Detachment 1 Commander Major Marc Galler, Mr. Loverde and Ms. Dinh, at the Raffles Hotel Le Royale. These discussions also covered all of the relevant points noted above. U.S. Ambassador Carol Rodley hosted a lovely dinner at her residence in Phnom Penh in the League Delegation's honor. That setting provided an important opportunity for informal exchanges with the Cambodian POW/MIA Committee's senior members: General Pol Saroeun, Commander of the Cambodian Army and Chairman of Cambodia's POW/MIA Committee, by direction of long-time Prime Minister Hun Sen; another long-term interlocutor Mr. Sieng Lapresse, Under Secretary of State in the Ministry of Interior; and Major General Kem Chanee, Deputy Director of Security, Department of Interior.

Also ably assisting with arrangements in advance and while in Phnom Penh was Sar Sithan, a former U.S. trained Cambodian Air Force pilot, who thankfully escaped when the Khmer Rouge took power in 1975. He and his military colleagues started a nonprofit organization, Cambodian-American Community for Development, to provide humanitarian assistance to the people of Cambodia, focused significantly on education for worthy students. He returned to Cambodia following retirement in Long Beach, CA, determined to do all that he could to help. He also contributed helpfully in making arrangements for the League Delegation in 2006 and the League-sponsored Family Delegation in 2008.

**Vietnam:** The Delegation was met on arrival at Noi Bai International Airport by JPAC Detachment 2 Commander LTC Todd Emoto, USA, and staff, and transported to the Movenpick Hotel, downtown Hanoi, where DIA's Stony Beach Vietnam specialist Mike Najim greeted and briefed us.

After initial scheduling changes, the Delegation met early the next morning with JPAC Detachment 2 personnel, Casualty Resolution Specialist Ron Ward, an experienced linguist and investigator, for a briefing to ensure all were up to date. There followed a very full day of meetings, beginning with lengthy discussions with officials in the Vietnam Office for Seeking Missing Persons (VNOSMP), Vietnam's long-standing interagency committee.

The VNOSMP meeting was chaired by Ambassador Nguyen Van Dao, Director of the Americas Department, Ministry of Foreign Affairs. All League objectives noted above were raised, and it was during this meeting that the three major Vietnamese points were first made, reinforced by senior officials as the day progressed and reported more fully below. The one aspect that was discussed in detail, and not addressed in later, more senior meetings, dealt with the long-standing effort to get Stony Beach personnel permanently assigned in Hanoi, as they are in Phnom Penh and soon will be (early August) in Vientiane, Laos.

Despite the growing military-to-military relationship in the context of normalized political and economic relations, Vietnam continues to insist that all POW/MIA accounting matters be conducted through the established VNOSMP and JPAC channel. While the arrangement is not consistent with the state of US-Vietnam relations, Stony Beach specialists will have to continue rotational temporary duty stints in Vietnam, traveling back and forth from their DIA office at Hickam AFB, Hawaii. Since this has functioned productively, it is not an issue that the League is likely to further pursue, unless we detect it is interfering with productive Stony Beach operations.

Following lunch with JPAC officials, the Delegation met with Deputy Minister of Foreign Affairs Doan Xuan Hung, Deputy Minister of National Defense/Deputy Commander of the Navy Admiral Tran Quang Khue, and the General Director of the General Security Directorate, Ministry of Public Security, Lt. General Pham Dung, an official long involved with the POW/MIA issue and past member of the VNOSMP. U.S. Ambassador to Vietnam Michael Michalak, Defense Attaché COL Patrick Reardon, USA, LTC Emoto, JPAC Casualty Resolution Specialist Ron Ward, DIA's Stony Beach Specialist Mike Najim and other U.S. officials participated in all of these meetings with senior Vietnamese officials, as did several VNOSMP personnel.

The League Delegation's primary objective with senior officials in Hanoi was to define expectations on POW/MIA accounting, based on U.S. Government evidence of Vietnam's ability to provide relevant archival documents, including on cases in areas of Laos and Cambodia where Vietnamese forces exerted wartime control. (Evidence cited was originated by DPMO and JTF-FA (now JPAC), including updates on specific documents that the League and the U.S. Government have requested for years, thus far with little to no response, despite the compelling examples supplied.) Other priorities were to urge implementation of previously announced bilateral agreement on use of a U.S. Navy vessel for underwater surveys and excavations, and permanent assignment in Hanoi of DIA's Stony Beach POW/MIA research specialists. Finally, we wished to express appreciation from the families, veterans and all Americans for cooperation to date, especially increased access to areas previously considered sensitive, and improved field operations.

On archival records, the Delegation received assurances that cooperation would continue, and Admiral Khue appeared relatively interested in studying the compelling examples the League provided. In response to appeals to end the many delays in using the U.S. Navy ship, the Vietnamese appeared confident that ongoing technical negotiations would result in bilateral agreement for implementation, under a newly developed law, for the first such operational mission in the June/July timeframe.

(In yet another example of determination and persistence, the League initiated dialogue on this subject in 1994. After many premature announcements by Vietnam and the U.S., as well as reciprocal expressions of appreciation by the U.S., and many delays, the USNS Heezen finally conducted an underwater survey in June, some 15 years later.)

Significantly, and in apparent consensus, all senior Vietnamese officials cited the need to expand the pace and scope of field operations. Their stated rationale cited the imminent potential for destruction of incident sites to make way for development and advancing age of witnesses who were losing accurate recall or passing away. (Very similar language has long been used by the League and U.S. officials in urging expanded joint operations.) Importantly, they included the need to expedite witness interviews, the use of witnesses in investigations and the pace of operations, pointing out the current backlog of 87 sites, with only 12 per year being exploited.

The League Delegation welcomed this proposal, recognizing that while necessary to expedite accounting results, convincing relevant Congressional Committees to authorize and appropriate funds could be challenging and time-consuming. (We continue to believe that identification of sites and putting them on the list for future excavation or investigation assures preservation.) We also noted that expanding Vietnam War efforts could not occur at the expense of Korean and Cold War accounting or World War II remains recoveries.

The VNOSMP hosted a lovely dinner in the Delegation's honor to conclude a long day of formal discussions. The following day was less rigidly scheduled, so there was time for comprehensive discussions with JPAC and Stony Beach prior to a dinner hosted by U.S. Deputy Chief of Mission Virginia Palmer at her home on the outskirts of Hanoi. This event provided opportunities for exploring options and gauging the seriousness of Vietnam's proposal to expand the pace and scope of joint field operations. That is precisely what occurred.

In general, the League Delegation members and all U.S. officials present agreed that Vietnam's consensus proposal appeared to be serious and should be met with a positive U.S. response. Griffiths explained that expanding the pace and scope of joint operations in Vietnam would likely also require a plus-up in Detachment 2 staff (permanently assigned in Hanoi) and JPAC headquarters in order to support the increased schedule of operations. When pressed on his leadership's willingness to allow such expansion, Ambassador Dao replied that it was best to leave it flexible, but that his government was prepared to meet any U.S. increase with corresponding increases on Vietnam's part.

Considering the historical record of broken promises, and though discussions were very intense and seemingly serious, there is always the possibility that Vietnam's leaders are simply testing the Obama Administration's interest in maintaining priority on the accounting effort. At the same time, their proposal to expand the pace and scope of joint operations was made to the League Delegation in the presence of Ambassador Michalak, COL Reardon, LTC Emoto, Mr. Ward, Mr. Najim and other U.S. officials – and importantly, it has significant merit if implemented.

(Following the Delegation's return, the Executive Director testified before the House Armed Services Subcommittee on Military Personnel and reported Vietnam's proposal, then put it into a letter to Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs Ambassador Charles A. Ray. Ambassador Ray responded by letter that the Defense Department was taking the matter seriously and coordinating with PACOM and JPAC on what would be necessary in terms of increased personnel and funding to expand the Vietnam War accounting effort as proposed to the League Delegation. Further actions are awaited.)

At the time of the League Delegation's visit, joint operations were also ongoing in Vietnam, but well outside the Hanoi area; therefore, the Delegation was unable to reach them within time constraints. There was also an ongoing underwater investigation along Vietnam's northern coast using U.S. divers on a Vietnamese platform, a process previously undertaken that will be briefed at the League's 40<sup>th</sup> Anniversary Annual Meeting July 22-25, 2009.

**Acknowledgments:** The Delegation deeply appreciates the advance support and courtesy visas provided by the Lao, Cambodian and Vietnamese Embassies in Washington, DC, especially from Lao Ambassador Phiane Philakone, Kingdom of Cambodia Ambassador Hem Heng and Vietnamese Ambassador Le Cong Phung. The Ambassadors' recommendations to their respective capitals helped set the stage for potential progress in all countries. We are grateful for the generous hospitality provided by U.S. Ambassador to Laos Rovic Huso and his wife for inviting Delegation members to be guests at their official residence in Vientiane and for hosting a lovely dinner in the Delegation's honor that included many Lao officials. We are also grateful to Joint POW/MIA Accounting Command (JPAC) Detachment 3 Commander LTC Brandt Deck, USA, for inviting a Delegation member to be JPAC's guest at their Team House, and JPAC Commander RADM Donna Crisp, USN, for authorizing and LTC Deck for arranging an exceptional visit to four ongoing incident excavations in northern Laos. U.S. Ambassador to Cambodia Carol Rodley graciously hosted an enjoyable and very important dinner at her residence in Phnom Penh. This dinner, attended by senior Cambodian officials, offered a social environment for important, broad-based exchanges. The League also wishes to recognize DPMO's Research Analysis (RA) Directorate and JPAC's Policy and Intelligence Directorates (J5 and J2, respectively) for their constructive support in preparing timely and relevant materials used during the Delegation's mission.

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March 25, 2009

Armed Services Committee  
 Military Personnel Subcommittee  
 2340 Rayburn House Office Building  
 Washington, DC 20515

Subject: Written Testimony for the April 2, 2009 POW/MIA Hearings (curriculum vitae appended).

### POW/MIA ACCOUNTING REQUIRES FULL - NOT SELECTIVE ACCOUNTING

I am Roger Hall, Executive Director of Studies Solutions Results, Inc. an independent research organization seeking truth and declassification of all Prisoner of War/Missing in Action (POW/MIA) documents so that the problem imbedded in and surrounding unreturned POW/MIAs can be brought to light. A full accounting is necessary to bring back all unreturned POWs and MIAs, this has not occurred. We seek to have all POW/MIA evidence identified, examined/investigated, declassified, and live sightings competently acted upon. Unrevealed POW/MIA documentation exists in many different US government departments and agencies (i. e., the Central Intelligence Agency (CIA), Defense Intelligence Agency (DIA), and the National Security Agency (NSA) among others. A good amount of the information I will refer to has been withheld from previous congressional committee inquiries into the attempts at a full POW/MIA accounting and their return to America.

The Armed Services Military Personnel Subcommittee does not have oversight over or control all aspects of the POW/MIA issue. Congressman Skelton, Chairman of the House Committee on Armed Services stated in his June 23, 2008 Dear Colleague letter that the "House Armed Services Committee's has full jurisdiction over matters relating to POW/MIA affairs, including oversight of the major government offices handling this important issue: the Defense POW/Missing Personnel Office (DPMO) and the joint POW/MIA Accounting Command..." and that "establishing a Select Committee only creates false expectations and perceptions" (see Exhibit # 1). Of course the DOD would not want a select committee, what government department would volunteer to be audited.

The intelligence agencies and others involved with POW/MIA information have not been called to testify at these hearings, not even in closed session. To properly investigate the POW/MIA matter - information, including classified POW/MIA documents of the CIA, DIA, and other intelligence agencies must be considered in full. It is the DIA that is concerned with live POW/MIAs. Until this year there was not a Military Attaché in Laos and intelligence activities, apart from DIAs overt Stony Beach detachment, it was the intelligence domain of the CIA. A select committee would best bridge these domains.

The Military Personnel Sub-committee has not released or required the release of POW/MIA documentation since 1996. The close sensitive relationship between the Department of Defense and the Military Personnel Subcommittee also prevents it from the necessary concerted effort in oversight on behalf of most of the POW/MIA families and the American public on matters within its domain. Investigative resources for a necessary

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investigation of the many documents still classified could best be handled with additional resources within the House of Representatives with broader coverage and powers than presently available.

A POW/MIA Select Committee as proposed by House Resolution 111 (H. Res. 111) would apply those necessary resources, not otherwise available, to fully examine new and previously undisclosed information beyond the DPMO and JPAC.

There is documentation on those now known to have been alive at these wars end. Some important documentary evidence revealed since 1993 by civilians and those in government on live POWs has been left to time without necessary resolve. Some documentation withheld from the Senate Select Committee on POW/MIA Affairs (1993), and possible from other Congressional Committees is also given on the following pages.

The POW/MIA Community consists of many different groups concerned with unreturned Americans from our different wars. No one group represents the interests of the others. It has been said that those who seek a select committee are conspiracy theorists. Those that objected to the 1992-93 Senate Select Committee now also oppose a select committee in the House of Representatives they fear will upset their relationship with the Vietnamese; they also now use the accomplishments of the 1992-93 Senate Select POW/MIA Committee as the status quo they wish to maintain.

However, a review of remains from Vietnam shows that remains return continued during the 1992-93 Senate POW/MIA Committee and since, and that remains returned from Laos also improved. Some objectionists are understandably intimidated by those governments and psychology desperate. This comes from the burden of not wanting to be seen as rocking the boat by foreign governments with whom they depend on for the return of those killed in action. Most POW/MIA family members want the POW/MIA matter to be dealt with openly and those killed in action returned along with any possible survivors.

We seek the evidence, including classified documents, to be investigated and action taken to reveal the truth on unreturned POW/MIAs. No existing committee has the intent or resources to do this, a select committee would serve the Armed Services Military Personnel Subcommittee and the American people well.

**Some Consideration for a House Select POW/MIA Committee**

There are over 574 POW/MIA documents, that we know of, that are still classified by the CIA (See Exhibit # 2 ).

In 2006 Mr. Newbury the former temporary head of DPMO stated at the National Alliance of [POW/MIA] Families meeting that the DPMO still had not been able to get many POW/MIA documents from the CIA but they were making some headway. This is tragic.

The DPMO received [other] POW/MIA documents from the CIA, of which the CIA transfers ownership. The DPMO states they cannot track this documentation because they

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are put in individual case files. This cannot be so because there are letters of transfer of documents, particularly classified documents. This mishandling of CIA files hides them from release and declassification under the Freedom of Information Act (FOIA) and is wrong.

The son of Pathet Lao Red Prince Souphanuvong of Laos, Kaham Say Souphanuvong, defected to New Zealand. He was exposed to live POWs during the Vietnam War and information on other POWs.

#### **Secretary of Defense Laird**

The POW/MIA records of the US Army 525<sup>th</sup> Military Intelligence Group are missing. These missing documents and many others drove the Senate Select POW/MIA Committee to question former Secretary of Defense Melvin Laird on missing POW/MIA records. He told them that all they had to do was look in the records of his daily "Breakfast Meeting." He started each day off with such a Breakfast Meeting and the first topic each day was POW/MIAs, and that a copy of every document generated on POW/MIAs could be found in those records. The DOD could not find four years of those records for the Select POW/MIA Committee; The DOD hid these documents from the 1993 POW/MIA Committee. I requested them under the FOIA and was told they couldn't be found. However I located them and had them sent back the DOD under a new FOIA in 1998; to date they have not declassified any of those POW/MIA records.

#### **Military Attaché's**

During the Vietnam War the US military attaché's to Laos had a separate attaché's for each branch of service. POW/MIA information from those and the records of the military attaché's for Vietnam, Cambodia, Russia and China were not revealed to previous POW/MIA committees should be reviewed and are exempt under the FOIA.

#### **1205 Document**

In 1993 a Professor Morris of Harvard University located three POW documents in the Russian Archives. One document was a statement by Lt. General Tran Van Quang to the September 1972 North Vietnamese Politburo. He stated that they [North Vietnamese] had 1205 American POWs. That they were only going to return half of them to assure they got out of the Americans what they wanted (i.e., complete withdrawal, reconstruction aid, and to cease helping the South Vietnamese). There is also a two page GRU letter with this document. The North Vietnamese only released 591 American POWs in 1973, we did not pay the North Vietnamese \$5.25 billion dollars in reconstruction aid, we continued to support the South Vietnamese under our Vietnamization Program; and we never got the remaining POWs back. Witnesses have been located that can give information confirming the validity of the document. (1205 document available on request)

#### **100 POWs transported to Russia**

Former communist Czechoslovakian General Jan Sejna, the highest ranking communist to ever defect, administered an operation/program where three groups of American's totaling over 100 American POWs were taken from Vietnam, transferred and received in Czechoslovakia by a unit administrated by him, were met by the KGB and GRU - and then transferred on to Russia. Two additional witnesses who were present during these

POW transfers have been located who can corroborated that those American POWs had been in Czechoslovakia and their movement to Russia.

**Planned 1972 Rescue of 60 POWs from Laos**

In 1994-1995 I was informed by former Joint Chiefs of Staff Admiral Tom Moorer in his McLean Virginia home that the JCS had a planned rescue of 60 POWs held in Laos in late 1972. Admiral Moorer revealed that the planned raid, second in complexity only to the Son Tay raid, was for the rescue of 60 Americans held in Laos by the Laotians. The DOD knew the names, location, and other information of the POWs. The rescue was cancelled because of the 1972 Christmas bombing and the pending Paris Peace Agreement. The rescue never occurred. He stated that the CIA and DOD had that information.

**DPMO Intentional Limitations on Live Sighting Investigations**

There are also problems faced by POW/MIA family members from DPMO including failure to Authorize Live Sighting Investigations and the attempt to limit Stony Beach (DIA) activity. Reports of live POWs in Southeast Asia are not investigated. Sources reporting live American's are reported to Lao Peoples Democratic Republic (LPDR) and arrested leaving American Embassy in Laos (See Exhibit # 3). See additional information from Carol Hrdlicka (See Exhibit # 4) and Ann Holland (See Exhibit # 5).

The 2001 Senate Intelligence Authorization Act requires investigation of live sighting reports received as of 1990. However, Live Sighting information is turned over to the country where the sighting occurred, before US investigators can inquire in country, resulting in the indigenous source being locked up, disappeared, or feigning ignorance.

**Additional Seed for Investigation**

**CIA 1965 & 1971 Duck Soup Hidden Rescue(s)**

Duck Soup was an Air America supply operation for Lima Sites in Laos that was also used as a cover for other CIA activities including the rescue of POWs. An attempted rescue of two Air Force POWs David Hrdlicka and Charles Shelton, captured in Laos in 1965 were the objective of a Duck Soup rescue in 1965. The head of CIA Air Operations, then Major now retired Lt. Gen. Richard Secord, oversaw this attempted rescue. The DPMO, DIA and CIA pretend that they do not know of this rescue and refuse to acknowledge any attempted rescues of POWs from Laos. General Secord reported to the 1993 Senate committee that there was a raft of documents on the POW rescues at the CIA; the documents have never been released, and indicate additional rescues (See Exhibit # 6).

I located White House [declassified] copies of the above Duck Soup rescue documents at the Johnson Presidential Library; The document from US Ambassador in Laos stated that Our might Meo [H'moung] report ... that they have succeeded in recapturing a US pilot from the Pathet Lao and had walked him out to friendly territory. Reported to have been either Hrdlicka and Shelton and that an Air America helicopter was on its way (See Exhibit # 7). The CIA has refused to release this information under the FOIA, Executive Order 12812, Presidential Decision Directive NSC 8, requests from POW/MIA family members, and the Senate Select Committee on POW/MIA Affairs of 1992.

Others that had knowledge of the rescue were a Lt. Gen. Clifford Reese, then an F-105 pilot who was tasked to fly cover for the 1965 Duck Soup rescue. Bronze Star recipient,

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Moua Chung, a member of the 500<sup>th</sup> Military Intelligence Group (MI GR) who was involved in the 1965 rescue of Hrdlicka and Shelton, and CIA employee William McLean who was in Laos at that time. There was at least one other Duck Soup rescue in the 1970s this information is available upon request.

I am very disappointed in the Department of Defense and CIA's lack of cooperation with the POW/MIA Committees of the US Congress in informing them, POW/MIA families, and the American public on POW rescues. They operate without being held accountable for their actions, or deceit on unreturned surviving Americans.

Rosemary Conway was a civilian prisoner of the Pathet Lao in the summer of 1975. She had the Royal Laotian Air Force pilots fly their planes to Thailand just before the communists took over. While locked up next to the main interrogation room she heard them talking about their POWs, including Civilian POW Debruin, and that they were being transferred to the northern part of Laos. She has never been deposed by any Congressional committee.

#### Special Forces/Delta Files

There was more than one reconnaissance's of POWs camps holding Americas in Laos in 1981-1988. A 1981 recon was originally to be run by the DOD but it was taken over by the CIA. CIA disinformation followed the operation and this intelligence was never revealed to the 1993 committee. The CIA did not reveal the pictures taken on the recon or reported voice recordings to the Select POW/MIA Committee.

#### NSA

The Report of the Senate Select Committee on POW/MIA Affairs states that POW/MIA information provided by Jerry Money, a former NSA analyst, on POWs taken to Russia and China could not be verified. This was in part because some of it was secondary information compiled from other NSA analysts, three other NSA analysts were available to testify, only one Mooney was allowed. He was threatened with prison if he went public with the classified information. However, he went back out to the NSA and his security clearance was renewed and he located some of the documents the NSA could not locate for the 1993 committee. These documents were published in September of 1992 in NSA Technical Report 002-92. The information in the NSA report was not published in the 1993 POW/MIA Select Committee Report that stated Mooney's testimony could not be verified.

#### Senate Select Committee On POW/MIA Affairs (1992-1993)

Satellite imagery not received in time for consideration in the Senate Select Committee on POW/MIA Affairs was given to the National Security Council (NSC) staff in 1994. These documents are not listed with others of the Senate Select Committee records at NARA and are not part of the Senate Security inventory for the committee because they were received after the committee ended and therefore not included. This satellite imagery was sent to the DPMO by the NSC staff.

The case of Missing/Captured U. S. Army Spc. Kousay Altaie, kidnapped Oct. 23, 2006 outside Baghdad's Int. Zone has not been resolved.

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At least five American were captured in Afghanistan since October 2001. there are two Special Forces and three civilians of Afghan decent reported captured by Al-Jazeera from al-Queda. No names have been released or correlated with the captured POWs. This is what happened in Laos when it goes unchecked.

#### Conclusion

The withholding of information on Live POWs from the congress and POW/MIA committees is a conflict of interest by the military in their stated position of leaving no man behind. With the past withholdings of documentation on live POWs - government departments and agencies now also withhold that documentation to protect the reputation of the agencies and those responsible or in command in the past.

The institutionalized withholding of POW documentation must be based on the actual potential damage to national security over the life and liberty of POWs, not some trade agreement or other treaty. Some reasons for withholding documents for national security reasons include foreign relations with another country, or pending treaties. To withhold information on live POWs is worse than a conflict of interest. Un-sworn testimony from witnesses will not enlighten all the POW/MIA families, the American public, or the Congress.

All POW/MIA documents should be declassified and available to the public through the Library of Congress with the original documents kept in a secure environment, and at least the identification of documents by subject and document number that are still kept classified.

A select committee would address the matter of classified documentation at the various DOD agencies and the CIA, while bridging the domain of the various committees of the House of Representatives, and make recommendation for declassification of POW/MIA documents to the American people. Without a Select Committee on POW/MIAs an accurate resolution remains fragmented and confounded.

The DPMO and JPAC while addressing those countries where unreturned POW/MIAs exist are so focused on the remains segment of the POW/MIA issue that they shy away from the hard questions of live POWs. Although the Military Personnel Subcommittee does receive classified information it is content to let the DOD keep the information from the public and the full congress. Some families are concerned with hteir cases and fear upsetting a less than thorough accounting process, negotiations cannot proceed under duress. Without a Select Committee on POW/MIAs an accurate resolution remains fragmented and confounded.

Additional documentation available upon request.



Roger Hall, Executive Director

Studies Solutions Results, Inc. P.O. # 8044 Silver Spring, MD 20907

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### Curriculum Vitae – Roger Hall

Military Service	1958-1962	US Marine Corps	MOS 0311
Education	1986	Montgomery College, MD	Assoc. CS
	1988	Univ. of MD, Univ. College	BS IFSM
	1998	Univ. of MD, Univ. College	MS Management
	2001	Univ. of MD, Univ. College	MBA

#### POW/MIA Experience:

I was introduced to the POW/MIA issue by former POW Admiral William P. Lawrence in 1993; he networked me through 15 additional returned POWs to assure I had a solid foundation before I began serious research into this important matter. I began my archival research into matters pertaining to unreturned POW/MIA at the National Archives and Record Administration in March 1993 and was one of the first 5 people to go through the investigative records of the former Senate Select Committee on POW/MIA Affairs.

During my 1993 studies I performed the first non governmental survey of 490 returned POWs and received a 240 response to my inquiries.

1993 – Began Freedom of Information Act requests for unreleased and some still classified POW documentation.

1995 - Filed written testimony before the Military Personnel Subcommittee.

1998 - Filed Freedom of Information Act litigation in US District Court, Washington, DC against the CIA for POW/MIA Documentation under my own name and on behalf, 48 POW/MIA families, and the public good.

1998 - Incorporated Studies Solutions Results, Inc. in the state of Maryland, and was approved as a 501(C)(3) corporation by the internal Revenue Service.

2004 - Filed a second FOIA litigation case against the CIA for Studies Solutions Results, Inc., 48 specific POW/MIA families, all other unreturned POW/MIAs, myself, and the public good. That case is still outstanding.

I have not receive any federal grant (including subgrants) and contracts (including subcontracts) from the federal government for the past three fiscal years.



Roger Hall  
301/587-5055

EXH #1

Exhibit #1 of 2

RIE SHELTON MISSOURI, CHAIRMAN  
 JOHN SPRATT SOUTH CAROLINA  
 ROCKWELL P. SWITZ TEXAS  
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 GABRIELLE GIFFORDS ARIZONA  
 ELIJAH E. CLOUTEMER ILLINOIS  
 KENNETH E. BISHOP FLORIDA  
 KATHY CASTOR FLORIDA

**HOUSE COMMITTEE ON ARMED SERVICES**  
**U.S. House of Representatives**  
 Washington, DC 20515-6035  
 ONE HUNDRED TENTH CONGRESS

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ERIN G. CONATON, STAFF DIRECTOR

June 23, 2008

Dear Colleague:

House Resolution 1240, a discharge petition to require consideration of House Resolution 111, a bill to establish a Select Committee on POW and MIA Affairs, was filed on June 4, 2008. The proposed House Select Committee on POW and MIA Affairs would be required to investigate all unresolved matters related to any U.S. personnel unaccounted for from World War II, the Korean conflict, the Cold War, the Vietnam era, and the Gulf War.

I wanted to take this opportunity to express my opposition to this discharge petition. Let me explain why. First, the House Armed Services Committee already has full jurisdiction over matters relating to POW/MIA affairs, including oversight of the major government offices handling this important issue: the Defense POW/Missing Personnel Office (DPMO) and the Joint POW/MIA Accounting Command. As such, the legislative responsibility for this issue ultimately resides with the House Armed Services Committee and establishing a Select Committee only creates false expectations and perceptions.

Second, many in the POW/MIA community strongly oppose the creation of a Select Committee on POW/MIA Affairs. On May 14<sup>th</sup> of this year, the National League of Families of American Prisoners and Missing in Southeast Asia stated the following:

"Previously disproven claims of conspiracy and cover-up are again being raised, but past investigations have completely tied up assets and resources and the accounting was put on hold to allow time and attention to respond to Congress. The League will continue to oppose another wasteful, time-consuming special committee or commission unless and until there is nothing further that can be done constructively. In that event, the League would then reconsider. That time is NOT yet here."

Third, the Armed Services Committee has maintained an active oversight of the Department of Defense's POW/MIA activities over the past several years. Including:

- The FY08 National Defense Authorization Act, Public Law 110-181, 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.
- The FY07 National Defense Authorization Act, Public Law 109-364, requires the Secretary of Defense to submit to Congress 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 Department's justification material that supports the President's annual budget request.

**Exhibit # 1 p 2 of 2**

- The FY05 National Defense Authorization Act, Public Law 108-375, required the Department of Defense to maintain the number of military and civilian personnel in the DPMO at 46 and 69, respectively, as well as maintain its budget at \$16 million. It also directed GAO to study the adequacy of DPMO funding and personnel levels in relation to the missions it has to perform.
- The FY04 National Defense Authorization Act, Public Law 108-136, expressed 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" and that the Secretary of Defense should use his authority to offer monetary rewards to those "who provide information leading to the conclusive resolution of the status of any missing member of the Armed Forces."

The committee remains committed to diligent oversight and steady advancement of POW/MIA issues. As such, the Military Personnel Subcommittee is committed to conducting a hearing on the status of POW/MIA activities during July 2008.

As chairman of the House Armed Services Committee, I remain steadfast in my support of the troops and to ensure no man or woman who honorably serves our Nation in uniform is left behind on the battlefield.

I urge you to consider all of these points before you consider signing on to the discharge petition. If you have any questions about this issue, please contact Debra Wada of the House Armed Services Committee staff at x5-7560.

Very truly yours,



IKE SKELTON  
Chairman

Exhibit # 2, p 31

Central Intelligence Agency



Washington, D.C. 20505

ER 95-0551/1  
9 November 1993

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

As directed by Presidential Decision Directive/NSC-8, "Declassification of POW/MIA Records," I am reporting on the completion of CIA's review, declassification and release of all relevant documents, files pertaining to American POWs and MIAs missing in Southeast Asia in accordance with Executive Order 12812\* by the deadline of 11 November 1993.

Since the issuance of Executive Order 12812 in July 1992, all Agency documents and files responsive to the Order have been continually forwarded via the Department of Defense Central Documentation Office to the repository for POW/MIA data at the Library of Congress. Our review included a thorough, exhaustive search of operational files, finished intelligence reports, memoranda, background studies, and open source files. To date, 1,766 documents have been forwarded to the Library of Congress, while only 574 documents have been denied. All denied material was withheld based on the need to protect sources and methods, ongoing clandestine operations, negotiations on foreign policy issues such as the normalization of relations, or privacy issues related to returnees and the families of POWs and MIAs.

I am confident that we have made every effort to be forthcoming in the declassification of POW/MIA material. We will continue to be responsive to this issue through our active participation on the POW/MIA Intelligence Review Panel and in handling future FOIA requests.

Respectfully yours,

R. James Woolsey  
Director of Central Intelligence

Exh. 37



Exhibit # 3, A274

~~CONFIDENTIAL~~  
~~NOFORN~~

BEEN ESTABLISHED.

SUMMARY: (CONF) THIS IS A STONY BEACH REPORT. ELEVEN AMERICAN SERVICEMEN BEING HELD IN LAOS AND LAO CITIZENS BEING ARRESTED FOR REPORTING POW-MIA INFORMATION TO U.S. OFFICIALS.

TEXT: 1. (CONF) LAO CITIZENS ARRESTED FOR REPORTING POW-MIA INFORMATION. SOURCE'S LAO ACQUAINTANCES, WHO ARE ETHNIC HMONG, TOLD SOURCE THAT ON SEVERAL OCCASIONS LAO OFFICIALS ARRESTED LAO NATIONALS FOR REPORTING POW-MIA INFORMATION TO U.S. OFFICIALS. DURING THE LAST FEW YEARS, SOURCE'S ACQUAINTANCES KNEW OF MORE THAN TEN INDIVIDUALS WHO WERE ARRESTED IN VIENTIANE CITY AND XIENG KHOUANG PROVINCE, LA. ON ONE OCCASION, A LAO NATIONAL WENT TO THE U.S. EMBASSY IN VIENTIANE TO GIVE U.S. OFFICIALS INFORMATION CONCERNING TWO U.S. SERVICEMEN BEING HELD IN LAOS. (FIELD COMMENT - THESE TWO AMERICAN SERVICEMEN ARE THE PILOTS MENTIONED IN PARAGRAPH TWO.) THE U.S. OFFICIAL TOLD THE LAO NATIONAL TO WAIT OUTSIDE THE EMBASSY WHERE LAO OFFICIALS SUBSEQUENTLY ARRESTED HIM. (FIELD COMMENT - SOURCE DID NOT KNOW ADDITIONAL DETAILS CONCERNING THIS INCIDENT OR ANY OTHER INCIDENTS CONCERNING THE ARRESTS OF LAO NATIONALS. SOURCE WOULD NOT IDENTIFY HIS ACQUAINTANCES IN LAOS.) SOURCE'S ACQUAINTANCES BELIEVED THAT THE AMERICAN OFFICIALS AT THE U.S. EMBASSY IN VIENTIANE INFORMED THE LAO GOVERNMENT OF THE IDENTITIES OF INDIVIDUALS WHO PROVIDED POW-MIA INFORMATION TO THE U.S. HENCE, SOURCE'S ACQUAINTANCES FEAR REPORTING INFORMATION TO U.S. OFFICIALS. THE ACQUAINTANCES ALSO TOLD SOURCE THAT SOMETIMES FAMILY MEMBERS OF INDIVIDUALS WHO REPORTED POW-MIA INFORMATION WERE ALSO ARRESTED.

2. (CONF) AMERICAN SERVICEMEN HELD IN LAOS. IN FEBRUARY 2004, SOURCE'S LAO ACQUAINTANCES TOLD HIM THAT ELEVEN AMERICAN SERVICEMEN WERE BEING HELD IN LAOS. ORIGINALLY, TWELVE AMERICAN SERVICEMEN WERE BEING HELD, BUT ONE DIED WITHIN THE LAST YEAR. THE GUARDS OF THE AMERICANS WERE LAO, VIETNAMESE, AND HMONG. TWO OF THE ACQUAINTANCES WHO TOLD SOURCE THIS INFORMATION KNEW ONE OF THE HMONG GUARDS, AND IN 2001, THE HMONG GUARD TOLD THEM ABOUT THE AMERICAN SERVICEMEN. THE ACQUAINTANCES SAW ONE OF THE AMERICANS, BUT WILL NOT REVEAL HIS WHEREABOUTS IN LAOS. THE GUARDS' IDENTITIES WERE UNKNOWN TO SOURCE. ONE OF THE ELEVEN AMERICANS WAS A PILOT, HAD A LOCAL WIFE, AND LIVED IN A SMALL VILLAGE, CONSISTING OF APPROXIMATELY 20 DWELLINGS. THE AMERICAN WHO DIED WAS ALSO A PILOT, HAD A LOCAL WIFE, AND LIVED IN THE SAME VILLAGE. SOURCE'S ACQUAINTANCES HAVE PHOTOS OF THE TWO AMERICANS, BUT WOULD NOT GIVE THE PHOTOS TO HIM. (FIELD COMMENT - SEE PARAGRAPH THREE FOR THE IDENTIFICATION OF THE LIVE AMERICAN PILOT. SEE PARAGRAPH FOUR FOR

~~NOFORN~~  
~~CONFIDENTIAL~~

Exhibit # 3, p 3 of 4

~~CONFIDENTIAL~~  
~~NOFORN~~

POSSIBLE INFORMATION CONCERNING ANOTHER THREE OF THE ELEVEN AMERICAN SERVICEMEN. SOURCE DID NOT KNOW IF THE OTHER AMERICANS LIVED IN THE SAME AREA AS THE AMERICAN PILOT.)

3. (SANS) POSSIBLE IDENTIFICATION OF A U.S. SERVICEMAN. SOURCE'S ACQUAINTANCES GAVE SOURCE A HANDWRITTEN DOCUMENT CONTAINING INFORMATION CONCERNING THE LIVE AMERICAN SERVICEMAN WHO LIVED IN THE SMALL VILLAGE. SOURCE SHOWED THE DOCUMENT TO RO. THE FOLLOWING IS A TRANSCRIPTION OF THE DOCUMENT.

(FIELD COMMENT - BEGIN TRANSCRIPTION)

FULL NAME (ROBERTSON JOHN HARTLEY.

DATE OF BIRTH 07 25TH 1936

SERIAL NO 56299302

✓ MAY 28-29TH 1964. (001)7603247780

(001)5103517249

(FIELD COMMENT - END TRANSCRIPTION)

THE NUMBERS AFTER 1964 IN THE DOCUMENT ARE THE TELEPHONE NUMBERS OF THE AMERICANS FAMILY MEMBERS OR FRIENDS. (FIELD COMMENT - SOURCE DID NOT KNOW WHAT THE MAY 28-29TH 1964 DATE REFERRED TO.)

4. (SANS) POSSIBLE CONTACTS IN THE U.S. SOURCE'S ACQUAINTANCES GAVE SOURCE A SECOND HANDWRITTEN DOCUMENT CONTAINING TELEPHONE NUMBERS IN THE U.S. AND NAMES. SOURCE SHOWED THE DOCUMENT TO RO. (SOURCE COMMENT - I THINK THE NAMES ON THE PAPER ARE THE NAMES OF FAMILY MEMBERS OR FRIENDS OF THREE OF THE AMERICAN SERVICEMEN. OR MAYBE THEY ARE THE NAMES OF THE SERVICEMEN AND THEN THE NUMBERS ARE THE TELEPHONE NUMBERS OF THE FAMILY OR FRIENDS OF THE SERVICEMEN.) THE FOLLOWING IS A TRANSCRIPTION OF THE DOCUMENT.

(FIELD COMMENT - BEGIN TRANSCRIPTION)

[REDACTED]

(b) (6)

(FIELD COMMENT - END TRANSCRIPTION)

✓ ONE OF SOURCE'S ACQUAINTANCES TOLD SOURCE THAT ANOTHER UNIDENTIFIED INDIVIDUAL CALLED THE [REDACTED] NUMBER. A FEMALE ANSWERED THE TELEPHONE AND GAVE THE INDIVIDUAL A TELEPHONE NUMBER OF A MALE, NFI. (FIELD COMMENT - SOURCE COULD NOT PROVIDE ANY ADDITIONAL DETAILS CONCERNING THE ELEVEN AMERICAN SERVICEMEN BEING HELD IN LAOS.)

5. (SANS) REWARD MONEY. THE GUARDS WANT ONE AND ONE HALF MILLION DOLLARS TO ALLOW THE AMERICAN SERVICEMEN TO RETURN TO THE U.S. THE GUARDS AND OR ACQUAINTANCES HAD IDENTIFICATION DATA ON OTHER AMERICAN SERVICEMEN, BUT WOULD NOT GIVE THIS INFORMATION TO SOURCE. THEY WANT MONEY FOR THE INFORMATION. (FIELD COMMENT - SOURCE DID

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Exhibit # 3, 0484

~~CONFIDENTIAL~~  
~~NOFORN~~

NOT KNOW IF THIS IDENTIFICATION DATA CONCERNED AMERICAN SERVICEMEN BEING HELD IN LAOS OR AMERICAN SERVICEMEN WHO DIED IN LAOS.)  
6. (CONF) REQUEST TO CONTACT FAMILY MEMBERS OF U.S. SERVICEMEN. SOURCE'S ACQUAINTANCES ASKED HIM TO CONTACT THE FAMILY MEMBERS OF THE AMERICAN SERVICEMEN, BUT NOT THE U.S. GOVERNMENT. THE ACQUAINTANCES FEAR THE LAO GOVERNMENT WOULD KILL THEM IF THE LAO GOVERNMENT LEARNED THEY WERE PROVIDING INFORMATION CONCERNING THE AMERICAN SERVICEMEN. THEY KNOW THE U.S. AND LAO GOVERNMENTS WORK TOGETHER IN LAOS LOOKING FOR MISSING AMERICAN SERVICEMEN, AND THEY BELIEVE THEY CANNOT TRUST THE U.S. OR LAO GOVERNMENTS, BUT CAN PROBABLY TRUST FAMILY MEMBERS. SOURCE DOES NOT SPEAK ENGLISH, SO HE DID NOT CONTACT ANY FAMILY MEMBERS OF THE AMERICAN SERVICEMEN AND DECIDED TO CONTACT THE RO. HE ASKED RO TO FIND OUT IF THIS INFORMATION WERE TRUE AND HE EMPHASIZED HIS ACQUAINTANCES WOULD NOT MEET ANY U.S. OFFICIALS. SOURCE DID NOT WANT TO GET INVOLVED ANY FURTHER IF THE INFORMATION WAS FABRICATED.

COMMENTS: (U) (FIELD COMMENTS) - 1. (U) IT APPEARED SOURCE CONTACTED RO TO ASCERTAIN THE PLAUSIBILITY OF THE REPORTED INFORMATION AND TO DETERMINE WHETHER THIS TYPE OF INFORMATION HAS MONETARY VALUE. HE WAS RELUCTANT HIS ACQUAINTANCES TOLD HIM NOT TO GIVE DETAILS TO U.S. OFFICIALS, OR IT WAS TOO DANGEROUS TO PROVIDE DETAILS. RO EXPLAINED TO SOURCE THE BRING THEM HOME ALIVE ACT.

2. (U) REQUEST ANY EVALUATIONS IN RESPONSE TO THIS IR BE ADDRESSED TO DIA WASHINGTON DC [REDACTED] AND DIA [REDACTED] QUESTIONS/COMMENTS CONCERNING THIS IR SHOULD BE MADE TO DIA [REDACTED] (OSN), [REDACTED] (COMM/STUB).

ADMIN  
COLL: (U) AC.  
INSTR: (U) U.S. YES 6.  
PREP: (U) 7-02127.  
ACQ: (U) HICKAM AFB, HAWAII 20040520.  
DISSEM: (U) FIELD: NONE.  
WARNING: (U) REPORT CLASSIFIED ~~CONFIDENTIAL~~ ~~NOFORN~~

DRV FROM [REDACTED] SEC, MAR 04 (b) (3)  
DECL: ~~SI~~  
BT  
#2123  
#570

~~NOFORN~~  
~~CONFIDENTIAL~~

Exhibit # 4 , P102

*Carol Hrdlicka*  
*770 N. Mayfield Rd.*  
*Conway Springs, Ks. 67031*  
*Ph. 620-456-2439 Fax 620-456-2702*

As the wife of a U. S. Air Force officer, Col. David L. Hrdlicka I was aware that my husband could be killed or captured in the event he had to go to war. However, I was not prepared for him being abandoned by the very country he had sworn to serve and that sent him into harms way.

David was shot down over Laos on May 18, 1965. There is a wealth of information that he was captured alive. There is a capture photo, tape recordings, and a visit by the Prince of Laos. A Russian correspondent interviewed David several times while in captivity. The US government assured me that they would do everything possible for David. I was told of rescue attempts in the early years so I assumed that they would continue to do everything possible to get David released. I believed the government for years but to my horror I discovered in 1990 that they were not doing any investigation on David's case only trying to write him off. I received my first live sighting report in 1990 talking about David trying to escape. I had been told there were reports that indicated David had died. Up until this 1990 I accepted what the government had told me so now I am wondering how does a dead man try to escape. Then I receive another report stating, "I am talking to General Chaeng suspected of holding D. Hrdlicka and friends" the report was dated 1990 and is present tense. At that point I became enraged that the US government had not been telling me the truth. Of course, I wondered why they were lying.

I started to do my own investigation and research. I became painfully aware that the government's story that all the POWs were dead was not the truth. I began to collect documents, worked to change legislation to protect our service men, testified before several congressional committees' and collected information on David's case through Freedom of Information Requests. The documents I was finding was not backing up the governments statements that the POWs had died but that they had knowingly abandoned them and had set about purposely misinforming the public as well as the families. It has now been 17 years that I have fought to get the truth and get the US government to bring home the men that remain alive in Southeast Asia. It has been 42 years that David Hrdlicka has waited for someone to come get him and bring him back to his family. My husband and the other men deserve to come home.

David was never told if he got captured his country would abandon him. He was prepared to possibly be killed or captured but not be abandoned. The US government does not tell their military that they will abandon them.

*Carol Hrdlicka*

Exhibit # 4, p. 2-32

UNITED STATES GOVERNMENT

## memorandum

21 SEP 1992

DATE:

REPLY TO  
ATTN OF: PW

1099/PW

SUBJECT: Response to FOIA Request, Case 0670-92

VO: DSP-1 (FOIA)

Ref: DSP-1 memo 2,450, 10 Aug 92 (enclosure 1).

1. Reference requested that DIA (PW) conduct a file search in response to a request from Mrs. Carol Hrdlicka, wife of Colonel David Hrdlicka, USAF, missing in Laos. Mrs. Hrdlicka is requesting "all documents that have recently been declassified concerning MIA/POW's in Laos." Specifically, she is requesting "all the documents pertaining to rescue attempts made to gain the freedom of Col David L. Hrdlicka USAF and Col Charles Shelton USAF." Mrs. Hrdlicka believes the first rescue attempt was code named "Duck Soup."

2. Regarding her broad general request, please inform Mrs. Hrdlicka that all declassified documents pertaining to missing in action from the war in Southeast Asia have been placed in the public domain and will be available through the Library of Congress. In answer to her specific request, please inform Mrs. Hrdlicka that we have no records that the U.S. Government has ever mounted a rescue attempt for either Colonel Hrdlicka or Colonel Shelton. Based upon numerous inquiries due to articles in the public media, DIA undertook a records search, with the help of other government offices, to determine whether any operation by the name of "Duck Soup" ever actually occurred. The results of our inquiries revealed that, in 1949, a limited U.S. Government operation code named "Duck Soup" did occur. The nature of the operation remains classified. However, the operation was completely unconnected with the POW/MIA issue and was completely unconnected with the area of Southeast Asia.

3. A DD Form 2086 is provided as enclosure 2.

4. POC for this action is John Horn, (703) 908-2761.

2 Enclosures  
1, DSP-1 memo 2,450,  
10 Aug 92  
2, DD Form 2086

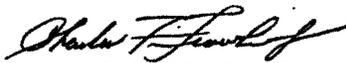
  
CHARLES F. TROWBRIDGE, JR.  
Deputy Chief  
Special Office for Prisoners  
of War and Missing in Action

Exhibit # 5, p 1, 2, 3

March 16, 2009

STATEMENT BY:  
ANN HOLLAND  
WIFE OF T/SGT MELVIN A. HOLLAND  
LEFT BEHIND AT  
SITE 85  
PHOU PHA THI, LAOS  
MARCH 11, 1968

When my husband was selected to volunteer for a secret assignment in September of 1967 I attended a briefing for the men and spouses at the Pentagon. Promises were made at that time by the men conducting the briefing: Col. Brojer, Col. Cornetti and Maj. Moore. First: We were assured the assignment was 100% safe, "we wouldn't be sending the men over there if we thought anything would happen to them." Second: If anything did happen to them we would be kept fully informed of any information that was acquired. Third: Every effort would be made to bring them home.

On March 11, 1968, the unthinkable happened. The hill was overrun by enemy forces, five of the technicians were rescued (one died on the helicopter), and 11 men were left behind. Three CIA operatives and numerous indigenous personnel were also rescued. I was notified by telephone that my husband was missing and to not tell anyone. If it got out to the press, I could be causing my husbands' death. Lie # 1. The lies are continuing to this day. The cover-up is continuing to this day.

Since the last Senate Select Committee investigation more information has been discovered that the present task force in Wash. DC (DPMO) has failed to act on. Specifically, a report from 20 Jan 04 of "a very old man standing and walking in a bent over

**Exhibit # 5, ກຳລັງ 3**

position” being held in a prison camp in the Sam Neua area of Laos. The sub-source offered to take photos of the prisoner. The report was discounted because it was “fourth hand information.” I offered to supply the camera for the photos. There has been no follow up on the information even though the location of the prison camp is very specific.

DPMO has withheld information from me regarding reports of possible prisoners. They withheld the decision to remove Refno 2052 from the Last Known Alive list from me. I learned of it by accident six months after the fact. They determined 40 years after the fact that all 11 men left behind in 1968 had died on that mountain during the attack. Yet, two years after the attack, three families were told that no one could account for their loved ones.

I was kept in limbo for two years and told to keep my mouth shut. Those men were never on any list until 1982 ! I was never assigned a “Casualty Officer”. I had to depend on a voice in the Office of Special Plans for any information about my husband. I was never given any reports that may have surfaced...specifically a report from 1972 telling of a male Caucasian being taken prisoner to Ban Nakay. He was wearing glasses and had come from the radar base at Phou Pha Thi. My husband was the only man wearing glasses. No follow up was ever done on that report because there was no knowledge of anyone missing in that area. That was first hand information. I never received a copy of that report until 1985 and only then through the Freedom of Information Act.

Fast forward to 2006. DPMO received a “transcript” from an individual that very graphically described the “death” of my husband. It was passed through four sets of hands before being sent to DPMO. I only learned of it by attending a family update meeting in Seattle in 2006. I asked that DPMO follow up on that

**Exhibit # 5, p. 3 of 3**

transcript and locate the original source and verify by obtaining the tape of the survivor relating the incident. They have refused to do so. I have asked that they contact Cols. Brojer and Cornetti and ask them why I was lied to for two years about the fate of my husband. (I was told he could have survived and to keep my mouth shut.) They have refused. They have relied on reports that are 40 years old, dismissed facts that indicate survivors and capture of the missing men, and accept as truth anything that says they all died on March 11, 1968.

In 1968 the Air Force was so afraid of the loss of those men in Laos becoming public knowledge that they had to do damage control. They thought that by declaring the men dead that no one would learn of the incident. But they didn't tell the families the men were dead! They told us they were missing and to keep our mouths shut because we would be hurting our husbands if it became public knowledge!

The cover-up is continuing to this day. The CIA has never released their records regarding Site 85. The two men assigned to "protect" the hill failed to do their job. They never went to the site to help the technicians until the "bird dog" pilot, Art Cornelius, couldn't raise anyone on the hill and told them to "get their a--- up there and see what was going on."

Reports of captured men are discounted as "unreliable" or "fourth hand information." I was 28 years old when told my husband was missing. I am now 69 years old. My husband would be 73 if still alive. He has sisters in their 80's and one 90 years old. It is time for the truth and time to bring him home.

*Ann Holland*

9-24-92

1 TESTIMONY OF MAJOR GENERAL RICHARD SECORD, LAOS CHIEF OF  
2 AIR, CENTRAL INTELLIGENCE AGENCY, 1966-1968; LAOS DESK  
3 OFFICER, DEFENSE DEPARTMENT, 1972-1975

4 General Secord: Yes, sir. Well first let me just say  
5 for the record that I had a lot of years of experience with  
6 Laotian matters, as I think most of the committee knows. I  
7 served in Central Intelligence Agency in the field in Laos for  
8 1966, '67, and '68. And I was back there again, briefly, in  
9 '69. And then I was the Laos desk officer in the Office of  
10 the Secretary of Defense, International Security Affairs, for  
11 a while in '72. And then by the time you're talking about  
12 here, I guess I was the head of the Southeast Asia Branch,  
13 having been promoted to Colonel.

14 So I served as a middle level officer during the time  
15 that you are focusing on here. And I wish I could take credit  
16 for that memorandum, because I think it's a good one, but it  
17 only represented -- it was the input of a number of officers  
18 who were working on this matter. And a memorandum of this  
19 nature to the Secretary of Defense himself would have had to  
20 have been coordinated, as a minimum, with the Chairman of the  
21 Joint Chiefs, and probably all the Chiefs. Roger Shields  
22 undoubtedly chopped on this message, or coordinated I should  
23 say. And probably a number of other DIA and others.

24 So I was an action officer and it was my job -- I'm sure  
25 I was told by probably Assistant Secretary Eagleburger, after

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**Exhibit # 6 -- Second Testimony before 1992 Senate POW/MIA Committee, page 6**

15C

1 a SECDEF staff meeting would be my guess. When this was first  
2 showed to me by your staff I didn't remember it. You know,  
3 there was a blizzard of memoranda.

4 And then when I read it I did remember it, but it was  
5 unusual for us in my section to draft POW-type correspondence,  
6 because we had an office for POW affairs. I believe that my  
7 office was assigned the primary drafting responsibility in  
8 this case because this memorandum was kind of operational in  
9 nature rather than just an accounting kind of report.

10 Because, after all, it recommended a diplomatic track and  
11 a military track. Which we knew, of course -- we could read  
12 the papers too, those of us who drafted it -- that the force  
13 option would be one that would be hard for the decisionmakers  
14 to take given the environment that existed in the country at  
15 that time. Nonetheless, we thought it was feasible. So I  
16 guess I part company with some who have testified who said  
17 that they did not think that the force option was even  
18 remotely available. We obviously felt it was.

19 But what was going on with respect to the POW's is we  
20 were tracking as carefully as we could all the intelligence  
21 information available on POW's, especially after it became  
22 clear that there was going to be a Paris Accord. Because we  
23 knew this would -- knowing the Vietnamese as we knew them, we  
24 knew this was going to be a really tough -- a tough matter.

25 We also knew that the notion that there was a Pathet Lao,

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**Exhibit # 6 – Second Testimony before 1992 Senate POW/MIA Committee, p.376**

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1 as Ambassador Godley said -- you know they existed but they  
2 didn't have any power. The North Vietnamese army had them  
3 completely in their control.

4 Vice Chairman Smith: Can I just interrupt.

5 General Secord: Yes.

6 Vice Chairman Smith: I do not want to interrupt your  
7 story at all, I just want to ask you a point right there. So  
8 based on your tracking, then, there were confirmed U.S. POW's  
9 in Laos during the war.

10 General Secord: Indeed. You've mentioned some of their  
11 names earlier this morning.

12 Vice Chairman Smith: Do you have any idea how many?

13 General Secord: No, sir, I can't remember. But there  
14 were a number of names that we knew with -- what do you know  
15 for sure. I mean with reasonable certitude we knew.

16 For instance, the famous case of Hrdlicka and two others.  
17 I had personal knowledge of that because I was involved in an  
18 abortive attempt to rescue those guys back in late '66 or '67,  
19 I think it was. You would have to go to CIA to get all those  
20 cables, but there's a raft of cables on that. We knew that  
21 they existed alive because we had an agent inside. We knew  
22 their names, we knew where they were.

23 Vice Chairman Smith: And I just want -- again for the  
24 record, and again I apologize for interrupting your flow  
25 there. When you say POW's in Laos, a number, you are

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**Exhibit # 6 -- Second Testimony before 1992 Senate POW/MIA Committee, p. 476**

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1 obviously referring to a larger number than the nine.

2 General Secord: In addition to those nine.

3 Vice Chairman Smith: Well in addition to those nine.

4 General Secord: Yes, sir.

5 Vice Chairman Smith: And did all of those people come  
6 home that you were tracking?

7 General Secord: None of them, that I know of, have been  
8 located or even heard of since the Paris Accords. But we did  
9 know to, I think, a reasonable level of certitude, that there  
10 were more, hence the memorandum.

11 Vice Chairman Smith: Good intelligence. I mean  
12 Secretary Schlesinger said excellent intelligence. Do you  
13 concur with that conclusion, good intelligence?

14 General Secord: He was Director of Central Intelligence.  
15 I was just a low level officer. Of course it was good  
16 intelligence. Intelligence, as we all know here, is a matter  
17 of relativity and it's a matter of judgment, and you might  
18 read one intelligence report differently than I might read it.

19 But there was just a mountain of intelligence on all of  
20 this. And earlier somebody was asking was there a systematic  
21 method of tracking this kind of data in Laos. Oh, yes, there  
22 was, there was a very systematic method.

23 Vice Chairman Smith: Let me just ask for your comment,  
24 then, on -- if you have knowledge, I would appreciate the  
25 direct knowledge; if you have an opinion, then state it as an

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Exhibit #6 Secord, p. 5 of 6

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1 opinion -- as to why this data base was apparently looked at  
2 differently as we came down to this period of March 28th  
3 through April 15th, in that period of time when President  
4 Nixon made his statement, Mr. Shields made his statement?

5 What happened differently? Was there something there  
6 that we are missing that caused this change in analysis of the  
7 intelligence? Or do you believe that there were people there  
8 after Operation Homecoming, based on what you knew?

9 General Secord: Well, yes, of course I believe there  
10 were people after Operation Homecoming. This memorandum was  
11 written contemporaneously with --

12 Vice Chairman Smith: Just specifically tell me why you  
13 believe that. I mean if it is based on solid evidence, tell me  
14 what you had, why did you believe that?

15 General Secord: Because the Central Intelligence Agency,  
16 aided by the Air Force in particular, the air attache  
17 organization in Laos -- which, by the way, was very extensive.  
18 It wasn't one little office; it was a very large organization  
19 with representatives and detachments in every part of Laos,  
20 all five provinces, all five military regions.

21 These two organizations, principally operating together,  
22 kept extensive records as we were losing our aircraft, and we  
23 lost a lot of aircraft, as you know. And all the data that  
24 could be collected was collected immediately. It was put into  
25 the system. It was reported at least once a day by a sitrep

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1 situation report to headquarters, Central Intelligence Agency.  
2 And the attache was reporting, of course, to DIA.

3 And so we didn't have the capability to do a  
4 sophisticated compilation and tracking in the field, and so  
5 this stuff was reported to MACV, MACVSOG, which is an  
6 organization I haven't heard mentioned today, but they had the  
7 responsibility, primarily, as you know, for mounting rescue  
8 operations and also for tracking. This data was reported to  
9 CINPAC, it was reported to headquarters CIA, DIA, the world.  
10 And so they, in different organizations back here in  
11 Washington and other headquarters, kept very close track of  
12 these raw data as we collected it, and a picture starts to  
13 emerge.

14 We in our headquarters when I was in CIA in Udorn, which  
15 was the base where we controlled all paramilitary operations,  
16 kept track of this ourselves.

17 Chairman Kerry: Could I interrupt your testimony just  
18 for a minute, and I apologize to my vice chairman, I know that  
19 is not helpful. But Secretary Richardson did have to go at  
20 2:00 and he stayed a little later. If I could ask if  
21 colleagues have quick questions to pose to Secretary  
22 Richardson, and then we will return immediately to Senator  
23 Smith to finish up with General Secord.

24 Are there any questions at this point? Yes, Senator  
25 Robb.

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L I N D I S

OUR MIGHTY NEO REPORT FROM ONE OF THEIR OUTPOSTS IN SAN NEUA THAT THEY HAVE SUCCEEDED IN RECAPTURING ONE OF U.S. PILOTS CAP DURING PAST FEW WEEKS BY PATHET LAO AND HAVE WALKED HIM OUT TO FRIENDLY TERRITORY. WE ARE SENDING A CHOPPER TO THEIR COMMA POST TO PICK HIM UP.

IT IS NOT REPORT NOT YET CLEAR WHETHER THIS IS MRDLCKA OR SHEL BUT WE ASSURE IT IS ONE OR THE OTHER. WE WILL FLY HIM DIRECT T UDORN AND PRESUME OTHER WORD WILL COME THROUGH AIR FORCE CHANN

PAGE TWO RUMJFS 190A ~~SECRET~~

I WOULD LIKE TO STRESS OVERWHELMING IMPORTANCE THAT THIS RESCU NOT REPEAT NOT BE GIVEN PUBLICITY. I HAVE ALREADY PASSED THIS WORD TO UDORN AND TRUST IT CAN BE PUNCTUATED BY INSTRUCTIONS T ALL ECHELONS, PARTICULARLY PENTAGON PRESS SERVICES. SAME INJUN SHOULD BE PASSED TO NEXT OF KIN.

THIS OFFICER IS ONLY ONE OF THREE FOR WHICH WE CURRENTLY HAVE NEO RESCUE OPERATIONS IN PROGRESS. THOSE OPERATIONS, AS WELL A LIVES OF U.S. OFFICERS AND OUR NEO AND LAO FRIENDS, COULD BE COMPROMISED AND JEOPARDIZED BY PUBLIC MULLABALOO ABOUT THIS RE:

WHEN WE HAVE MORE FACTS IN HAND, WE WILL BE IN TOUCH RE BEST METHOD HANDLING THIS MATTER WITH ICRC AND OTHER ENTITIES WHICH NEED TO KNOW ABOUT PILOT'S RECOVERY. PLEASE ADVISE ACTION TAKEN.

GP-3 SULLIVAN.

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**Hearing on Improving Recovery and Full Accounting of POW/MIA  
Personnel from All Past Conflicts**

**Statement of**

**Mr. Keith E. Phillips**

**Before the**

**Subcommittee on Military Personnel**

**of the**

**House Armed Services Committee**

**on**

**April 2, 2009**

I thank the leaders, members and staff of the Military Personnel Subcommittee for the opportunity to address the topic of Improving Recovery and Full Accounting of POW/MIA Personnel from All Past Conflicts. I stand among the optimists in my conviction that there is universal consensus that our obligation to return the missing remains constant and that the tools exist to honor our obligations to the missing consistent with the interests of the military, families, and the general public. There are resources throughout the government and the private sector that can be effectively organized to meet our obligations; to do so requires we re-look at our situation and processes in light of the changes in circumstance since our current recovery processes were first organized 20-30 years ago.

#### **Overview**

As we expand the objective of our recovery efforts from the 1,000 Vietnam War missing believed recoverable to the recovery of all 25,000 missing believed recoverable from all wars (34,000 if we allow for unknowns) we begin to align our practices with the widely held belief that we leave no service member behind. At first blush, the challenge is daunting and potentially cost prohibitive. Fortunately, we confront the opportunity with three significant advantages. First, we have the world's best remains recovery and identification processes. Second, when private and public resources are effectively combined the costs of recoveries from the older wars are dramatically lower than those from Vietnam, and third, the expectations held by the families of older wars' missing are different from the expectations of the Vietnam families. To successfully expand our efforts to the older wars we need but create the capability to systematically locate and qualify remains in the generally more accessible countries that house World War II and South Korea remains. Having created that capability the issue becomes applying existing identification skills acquired in Vietnam to the new universe of remains.

Deferring to others to make suggestions on the efficiency of our current infrastructure, I accept as a given that we have the ability to address Vietnam recoveries. This testimony, the results of the experience of over a dozen advisors engaged in the MIA question as relates to older wars, is intended to offer a specific path to bringing all accessible remains into US hands within the expected lifetime of surviving family members and to do so at minimal incremental cost and without reducing our Vietnam efforts.

#### **My Background**

In recent decades, personal travel throughout American battlefields in all major theaters of World War II, Korea, and Vietnam have led me, on occasion, to have war debris or likely remains reported to me by local residents. When relevant, associates or I reported those remains to the military. As I became more familiar with the issues surrounding the location and recovery of remains, in particular for the older wars, I founded Project Homecoming to educate the public and to advocate for the recovery of remains that once located were not returned. Over the years I have met a number of retired military, veterans groups, and family leaders who have joined forces to recommend these changes. Our biographies are in Appendix 1.

### The Current Approach to Recoveries

Prior to the end of the Vietnam War, the recovery of MIA's was largely the responsibility of the individual theaters. In practice, recovery efforts were extensive for two to five years after the war, after which the individual theaters became "reactive," responding to remains located by others, generally civilians, as circumstances allowed. After Vietnam, a dedicated, centralized recovery effort was organized to seek Vietnam POW's and MIA's indefinitely under an approach generally called "Last War First." In that current wars in Afghanistan and Iraq are ongoing, MIA affairs in those areas remain the responsibility of the local theater. Vietnam remains continue to be the primary concern of POW/MIA recovery efforts, although recent changes of verbiage in strategy documents suggest re-consideration is underway. Within Vietnam, POW efforts supersede MIA efforts. The traditional recovery priorities are captured by the following quotes from DPMO, the strategy setting arm of our recovery effort:

- "For cases involving all remaining unaccounted-for personnel, prioritize efforts based on first, the most recent conflict; second, availability of relevant information and access to the loss site; third, existing resources; and fourth, optimizing the balance between excavations and identifications. A balanced level of effort is especially important for forensic anthropologists, who should spend at least 50 percent of their time engaged in identifying remains." (Defense Prisoner of War/ Missing Personnel Office (DPMO), October 16, 2006, p. 4)
- "Prioritize efforts to ensure that the most important priority, regardless of location, will be resolving questions concerning those who might still be held captive and, if found to be so, returning them to U.S. control" (Defense Prisoner of War/ Missing Personnel Office (DPMO), October 16, 2006, p. 4)

The "last war first" policy has been compromised on at least two occasions, once to allow for seeking Airmen in the Pacific, specifically including New Guinea (Pub. L. 106-65, div. A, title V, Sec. 576, Oct. 5, 1999, 113, 2001) and once as North Korea offered occasional access to the country within the context of broader negotiations. In practice, our efforts focused on Vietnam except when North Korea allows access.

This traditional commitment to the "last war first," regardless of the practicality or cost effectiveness of those recoveries relative to others, has led to an imbalanced effort, in which the military plays little role in the location of remains from the older wars, and located remains from older wars are left unrecovered for many years. Conversely, previously unproductive sites are repeatedly visited in Vietnam while proven sites elsewhere are left unrecovered. On average, the delay between locating and recovering remains may be as much as a decade. The US currently spends \$78.6 Million per year in direct costs on the recovery process

(Department of Defense, 2008).

Interviews with Ambassador Ray at DPMO suggest that when indirect costs borne by the theaters are added, the total cost is approximately \$150 Million per year (Ray, 2007). That works out to a direct cost of

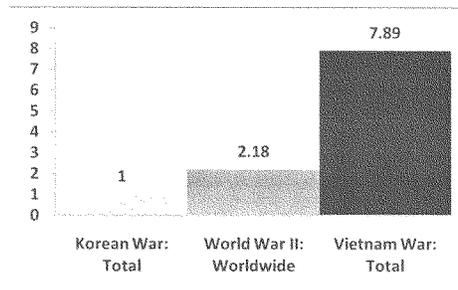


Figure 1: Efforts expended per recovery. Note average Vietnam

\$955,000 and a total cost of \$1,823,000 per identification.

Fortunately the opportunity exists to substantially increase our rates of recovery by better applying our resources to reflect current realities. A comparison of remains recovered to field team days by war shows that the older wars are three to four times more cost effective than Vietnam, with certain theaters (for example New Guinea) being as much as 30 times more cost effective (Broward, 2008, p. 10).

#### **The Scope of the MIA Issue**

As of September 9, 2006 there were 91,223 missing and unknown from World War II through today. (Defense Prisoner of War/ Missing Personnel Office (DPMO), October 16, 2006, p. 8). 25,465 are possibly recoverable.<sup>1</sup> Our current recovery rate is 82 per year from all wars combined (Broward, 2008, p. 13).<sup>2</sup>

There are significant backlogs in all elements of the recovery process. At current identification rates we have a backlog of 17-21 years worth of remains already in US hands, and an estimated 309 years worth of possibly recoverable remains still in the field.<sup>3</sup>

There is a significant imbalance between our application of resources and the nature of our missing. From 2004-2007, 76% of the "recovery teams deployed" were applied to Vietnam, and 24% to the older wars. (Broward, 2008, p. 13) Those older wars represent a disproportionate percentage of the recoveries (65%) and "possibly recoverable remains."

A tabular representation of our efforts (top of next page) shows the imbalance between effort applied and scale of opportunity. We currently apply 71% of our energy seeking the 4% of missing from Vietnam, at the expense of other wars. Yet, comparing energy expended to remains recovered, we can calculate that time applied in Korea is 8 times as productive as time in Vietnam, and time applied on World War II recoveries is nearly four times as productive as Vietnam. Further suggesting that our current approach comes at the expense of leaving many remains unrecovered is a comparison of the rate of recovery to the universe of remains to be recovered. After decades of effort we still recover 2.6% of the possible remains from Vietnam each year. For comparison sake, we only return 0.2% of the much more accessible World War II remains each year.

<sup>1</sup> See Appendix II for breakdown of Missing and unknowns by Theater and War. Vietnam Represents approximately 2% of the Missing, Korea 8% and World War II 90%

<sup>2</sup> See Appendix III for Breakdown of recovery rates by Theater and War. Each year we recover 2.6% of the possibly recoverable remains from Vietnam, versus 0.3% from Korea and 0.2% from World War II, a seventeen fold difference in effectiveness.

<sup>3</sup> See Appendix IV for a summary of backlogs in the field and in the laboratory by war. Backlogs of "Possibly Recoverable" Remains range from 38 years in Vietnam at the current rate of recovery to 499 years for World War II

**Comparison of Effort to Recoveries by War**

	Percent of Possibly Recoverable	Percent of Field Effort	Percentage of recoveries
Vietnam War	4.0%	71.0%	36.0%
Cold War	0.1%	0.0%	0.0%
Korean War	21.4%	5.0%	20.0%
World War II	74.5%	24.0%	44.0%

**Proposed Structural Solutions.**

A review of our current capabilities shows that we have much to build on as we expand the scope of our efforts to include the older wars. Among our strengths are

- A capability in "Ministry to Ministry" negotiation, in particular with authoritarian government.
- A world class identification laboratory, whose skills are applicable to remains from any wars.
- A full infrastructure for locating, recovering, and identifying remains from the Vietnam War.

If the policy decision is made that all missing Americans are equally deserving of recovery, the logical next step is to organize around the recovery of the maximum number of missing per year regardless of war, theater, or circumstances of death. Such an approach will call for a number of structural changes in our recovery approach, along with the development of certain new capabilities

Among the structural changes needed are:

- Removing any remaining prioritizations by war, theater, or service from both US Law and the operating policies of the recovery organizations
- Creating a recovery organization with no inherent geographic weaknesses to it. Our current recovery efforts are funded by Pacific Command, and our fixed assets are based in the Pacific. Approximately 40% of World War II remains are outside of the Pacific command's territory. Recovery of those remains is a hybrid effort, partly supported by local Mortuary Affairs and partly supported by JPAC. Direct funding of the recovery operations would be more consistent with maximizing recoveries regardless of theater and war. It would also allow for a more stable planning environment. Today's indirect funding approach makes global recovery efforts a function of midyear changes in the Pacific theater. Such midyear changes have reduced JPAC funding by 19% and overall funding by 15% in recent years. (Department of Defense, 2008). Alternate approaches might rely on local theater resources or externally purchased resources when operating in a theater.
- Separating either organizationally or in the funding sense MIA activities from POW efforts. While there is a gray area in between, POW efforts are built on the premise the POW is alive, MIA recoveries from the older wars start from the premise he is dead. POW issues are

essentially associated with theater intelligence; MIA efforts are essentially archival and implemented in a peace time environment. Comingling the two efforts, funding them jointly, and placing MIA efforts subordinate to POW efforts ensures inefficiencies in both efforts.

- Publication of performance versus public standards. Families are now disappointed that nearly a decade can pass between remains being located and recovered. An efficient recovery process, in turn, has a certain amount of delay built into it. Publication of performance standards, as a minimum covering both the maximum delay between when a site is reported and when it is visited and the maximum delay between visit and recovery, will set expectations and allow for reasoned commentary on the recovery process.
- It is probably appropriate to maintain a fiscal floor under the recovery efforts. Since 2003 there has been a legislated minimum level for DPMO. That level has generally not been achieved or been barely achieved. It has clearly not risen to reflect inflation. If the scale of our recovery efforts is to increase to address the earlier wars, some certainty of funding is appropriate.

#### **Required New capabilities**

Any recovery goes through the following steps

1. Archival research, either in US military archives or in foreign equivalents
2. Field location, in which witnesses are located and potential sites are found
3. Qualification, in which the probability of remains being present is assessed, and site specific considerations such as the presence of ordnance is determined
4. Recovery, in which a team locates remains, seeks information on their identity, and prepares them for return to the US
5. Identification, in which the identity of remains as established in the field is confirmed or where no tentative identity was established in the field, an identity is sought using scientific methods.
6. Returning of remains to the loved ones.

Today essentially 100% of World War II remains are researched and located by civilian volunteers not associated with the military. After remains are located by civilians and reported to the military, their ultimate recovery is a function of resources and budget. Often the delay is in excess of five years. Accordingly, there are important new capabilities to be created if we are to systematically look after the large number of MIA's of older wars in a way that honors our obligation to them within the limits of available manpower and practical financial commitment. The ideal solution:

- Provides the aging survivors of older wars confidence in a final review of their loved ones case before they themselves die.
- Has costs per recovery substantially below current Vietnam costs if the effort is to be affordable
- Does not call for significant increases in the uniformed service personnel during a time of war.
- Allows for substantial increases and reductions in staff as efforts increase and diminish with time.
- Allows for the constructive contribution of interested private parties with past experience in the location effort

Rather than have the military ramp up its current processes nearly 20 fold to allow for a rigorous search program for World War II remains, I suggest that we complement the military current expertise in autocratic regimes and scientific identification with an out sourced effort to research, locate, and qualify remains - leaving identification and returning of remains in military hands. The intermediate step, recovery, could either remain with the military or be outsourced. The current approach is a hybrid civilian/military team under military control; it may prove efficient to outsource that effort, with the military setting contractual standards for the recovery team.

If we outsource the location and qualification effort for World War II and South Korea remains we will need to enhance the throughput of our Identification lab as well. I am not competent to make any suggestions regarding the technical productivity of the laboratory, but I am aware that DNA samples from family members are essential (Called Family Reference Samples, or FRS). Only women with a straight female to female connection back to the missing's' generation are acceptable for FRS donations. As generations pass it becomes more difficult to find such donors. Where efforts have been made, results are spotty. A focused effort to locate FRS for Korean missing has led to an average delay of 490 days for "priority" samples, and only a 57% hit rate through 2007. (Broward, 2008, pp. 1, chapter 4). Fromm 2001 through 2007 (the last available year) each year was less successful than the previous year in finding donors. Accordingly, I suggest we also outsource to genealogists the location of donors for all remaining MIA's thought potentially recoverables from all wars.

#### **A Specific Proposal for Multiplying Recoveries.**

Essentially all World War II remains are located by civilian volunteers. In Europe they are largely local citizens; in the Pacific, they are generally expatriate civilians working with local paid staff. Realizing that the US has little or no legal control over these individuals and that local law generally governs recoveries, there are obvious advantages to outsourcing the location and qualification efforts to these groups where they exist and where they are willing, properly vetted, and operating under contract with either the US or an intermediary. It is unlikely these groups will have a substantial enough presence to address many of our needs, but their support is both economical and politic. Where such groups have insufficient presence (the majority of circumstances), I suggest we outsource the location, qualification and, perhaps, recovery effort to a single, captive, private provider to the military. Emphasizing its civilian character, this group is likely to be more effective in dealing with local witnesses than a comparable military group would be. Such a contractor would also minimize demands on the military for scaling up to support the effort. Combining the efforts of archivists, European teams, and Pacific teams with the genealogical research of FRS samples, this unit could systematically locate and qualify remains on a country by country basis, operating concurrently in Europe and the Pacific. Such an approach would offer efficiencies not available in a less geographically focused endeavor. Identification and return efforts would remain the exclusive responsibility of the military. Given the exhaustive nature of this effort, we could offer all MIA families whose cases were discovered in the archives a summary of US efforts, from World War II to now, to recover their loved one, along with a historical context of the loss to give the death meaning. In that many families have not heard of their loved one from the military since his/her "finding of death", families assure me such a summary would have great emotional value.

An effort such as this would require coordination not just with JPAC and DPMO, but it would require ready access to Military archives for all services, along with any necessary introduction overseas. First estimates suggest an effort such as this, locating and qualifying the accessible missing from all significant areas of conflict might be accomplished well within the remaining life span of Korean and World War II survivors for a cost of roughly \$15 Million per year- roughly 10% of our current effort. While the effort might create further bottlenecks in the identification laboratory, I suggest the attempt to get all possible remains into US hands as soon as possible be pursued independent of addressing any laboratory bottlenecks. The alternative to bringing the remains to the US before we are resourced to identify them is to leave them exposed in the elements or subject to disturbance through development. Likewise, a decision not to recover them now is a decision to allow them to remain abroad while the witnesses that know of their location themselves die off. Economy, efficiency, and honor all argue for an aggressive, systematic public/private partnership to recover the geo politically accessible missing of World War II and Korea.

**Appendix I**  
**Advisors & Endorsements Associated with this Testimony**

There are many passionate individuals who have been touched personally by the tragedy of losing family members to the ranks of the missing. Some have gone on to be passionate advocates for their cause, often at the expense of competing interests. This effort is the sum of the contributions and critiques of many parties drawn from the ex-military, family and recovery communities, complemented by the advice of legislative staff where appropriate. While all of us are either members of other organizations that are associated with the relief process or members of effected organizations we have kept this effort ad hoc and independent of any other groups. We've done so to maximize our flexibility and minimize our profile. It is our belief that progress calls for a quiet, execution oriented group. There are sufficient advocacy groups already at work.

Our participants include, but are not limited to

- Keith Phillips of Mill Valley, CA co founded six firms or corporate divisions by age 45, among them Progressive Direct and Esurance. The ensuing 8 years have been dedicated to his avocations of military history, cultural anthropology and language. These interests in turn led him to the issues associated with locating MIAs. In addition to participating in locating remains, he created the nonprofit Project Homecoming ([www.projecthomecoming.org](http://www.projecthomecoming.org)) to advocate for families whose missing were located but unrecovered. Given his professional background and relevant avocations his interest lies in seeking systematic solutions to the MIA location and recovery issue. He is point for this current effort.
- Douglas Walker of Wilton, CT is the son of Brig. Gen. Kenneth N. Walker, the highest ranking MIA lost in combat in WWII and Medal of Honor recipient. At the time of his loss he commanded the 5<sup>th</sup> AF Bomber Command. In August, 1941, just prior to departing for Australia he had co-authored the seminal Air War Plan (AWPD-1), the world's first unified and well-written plan for the implementation of airpower in combat. His U.S. Air Force biography concludes that, "Walker is credited with being one of the men who built an organization that became the U.S. Air Force." Douglas Walker is well versed in the issues associated with family affairs and recovery processes and has long considered systematic approaches to the recovery of the Missing from older wars. Not wanting his father's case to get advantageous treatment he has been hesitant to participate in specific proposals in the past. We are honored by his decision to join in this advocacy.
- Retired Marine Major General Mike Myatt served in the Marines from Vietnam through and beyond the first Gulf War. In that war he led the First Marines in the liberation of Iraq. He later served in Korea. He currently is CEO of the Marine Memorial in San Francisco. Mike has been an invaluable advisor on both MIA and Military affairs.

- Robert Varni, President of the Association of the US Army in Northern California has been instrumental in energizing the veterans' organizations in this effort. Reporting as he does to the Secretary of the Army Bob has been essential in assuring that our efforts were compatible with the broader interests of the military community.
- Retired Lt Colonel Wallace Levin of the San Francisco Veterans Affairs Commission has assisted both in galvanizing the California Veterans Organizations and in facilitating our advocacy with local and federal representatives there and elsewhere.
- Retired Navy Commander Ken Breaux of Houston, TX specializes in cooperating with European researcher and historian in the location and identification of missing American Infantry and Airmen. His particular interest is document research in both the US and abroad. He has established the probable locations of a number of remains and is author of Courtesies of the Heart, a history of the archival, technical and interpersonal challenges associated with the recovery of an airman in East Europe who was recovered after an extensive investigation that Ken helped organize.
- Former Marine Ron Broward of Sacramento is a Korean War Marine Veteran. When the Chinese entered the war his unit was among those that bore the brunt of the attack. Concern for friends left behind as MIA's grew to his participation in a Congressional MIA task force in 2001. For the past 10 years he has been a volunteer at the Joint POW MIA Accountability Command. Ron has been central in both explaining and quantifying our current efforts and in representing the unique Korea issues. Ron is well regarded by family organizations and a regular advocate in Congress.
- Clayton Kuhles of Prescott, Arizona leads MIA Recoveries (<http://www.miarecoveries.org/>) and has individually located and identified the wrecks of 15 planes with 104 missing crew in the China-Burma India Theater. Clayton is among the most successful civilians in locating and identifying remains through cooperating with local tribesmen in remote area and has a history of extraordinarily low cost operations.
- Bryon Moon founded MIA Hunters (<http://pro5.com/mia/>) and has also been remarkably successful in locating remains in Europe, New Guinea and the Japanese home islands. Born in the UK and raised among American World War II airbase there, Brian has also located a number of aircraft associated with milestones in Military History, among them Doolittle Raiders and Ploesti Raid Wreckage.
- Frank Plantan, Department Head- International Relations Department at the University of Pennsylvania and President of the Sigma Iota Rho Honor Society for International studies has advised on the sourcing of required linguists, historians and cultural anthropologists and facilitated access to other academics relevant to the project.
- Retired USAF Colonel Jim Tonge of Santa Maria, CA served as Deputy Chief, US Military Liaison Mission to the Commander in Chief of Soviet Forces in Germany in the late 1970's. In that

capacity he negotiated with the Soviet military to allow access by US experts to crash sites in East Germany, and he became familiar with both World War II and Cold War MIA's in general. Using document research and knowledge gathered while serving in East Germany he has participated in the research and recovery of the Missing. Since the end of the Cold War Col. Tonge has advised in numerous recoveries.

Douglas P. Walker

9 March 2009

Dear Keith:

For too long, the debate over the return of missing American men and women from combat has been mired in a debilitating crosscurrent of competing interests. Families of MIA service members from various conflicts too often have argued for their interests to the exclusion of those of other families who share the same cause and shared the same grief. Whatever the conflict in which a loved one was lost, we all share the same objective and it may now be possible, through your efforts Keith, to recognize our common interests and leave aside the self-defeating parochial interests that have thwarted our goal to make MIA search and recovery a matter of national interest and priority.

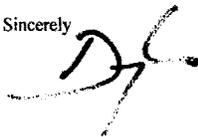
It has been a pleasure to be associated with you and the team that has over the last year crafted our proposal to return the 80,000 American Missing from World War II, Korea the Cold War and Vietnam without prioritizing among them based on War, Service or any of the other considerations that inappropriately divide us. Just as there is no expiration date on our commitment to recover the missing there is likewise no role for a process that implies the nation's commitment to any group of the missing is greater than its commitment to others. I have been disappointed that our previous approach applied 70-80% of our effort to 2% of the missing. Realizing the good intentions of all involved in our current efforts, I have nonetheless long feared that the policies that directed their effort led to divisive and unjust outcomes.

As the son of America's highest ranking MIA lost in combat, Medal of Honor recipient, Brig. Gen. Kenneth N. Walker, I am generally hesitant to endorse particular MIA-related proposals for fear of appearing to give my father's case inappropriate attention. I chose to participate with you in the efforts that led to the "Parity for All" proposal specifically because it removes unseemly prioritization among the Missing from this process. It is in that spirit that I endorse the results of the effort.

The "Parity for All" proposal addresses my past concerns by increasing both the productivity and cost-effectiveness of the nation's resources, public and private, in order to return the maximum possible MIA's every year. Your efforts should help forge a sense of common cause among the families of the missing and provide the basis for informed and responsible advocacy on their behalf. Having been a participant in past discussions on how we might increase the capacity for the return of the Missing in a balanced and equitable way, I am pleased that this proposal provides an equal opportunity to increase the recovery of the Missing from America's older wars without harming the interests of those whose losses are more recent.

I am pleased to be counted among the advocates of this approach.

Sincerely



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P. O. Box 1655 · New Canaan CT 06840 · USA  
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City and County of San Francisco

Veterans Affairs Commission  
1390 Market Street, 7th Floor  
San Francisco, CA 94102

MIA POW  
RESOLUTION  
March 2, 2009

Whereas, we are committed to honoring those members of the Armed Forces of the United States who have made the ultimate sacrifice to defend their country and their home,

Whereas, there are over 80,000 service members whose remains are still missing in action (MIA) overseas, over 25,000 of whom are considered recoverable by our government, with over 3,200 MIA's from California, many of whom are sons and daughters of San Francisco.

Whereas, it is probable that for the majority of these service members their last steps on home soil were in San Francisco,

Whereas, it is imperative we make an immediate, whole hearted, attempt to locate and recover the remains of our service members as time is running out for the surviving family members and any chance of the sites remaining undisturbed is being lost due to development and environmental change,

Whereas, it is our duty to, in good faith, resolve this difficult situation for the families of the deceased and report to them on their loved one's status,

Whereas, it is our sacred duty to pursue the location, recovery, identification, and proper burial of those who died protecting our United States of America, honoring our commitment to leave no service member behind

WE RESOLVE to endorse and support Keith Phillips and projects such as Project Homecoming's efforts to bring home our MIA (missing in action) members of the Armed Forces of the United States of America, consistent with all state, national and international law.

Wallace Levin, President  
Robert Varni, Vice President  
Dara Wong, Secretary  
Bud Wilson, Past President

30 March, 2009

Dear Sir/Madam,

I am a retired US Naval Officer. In early 2001 I became involved in searching for the father of a friend who was a US Army Air Corps Officer, shot down on 11 September, 1944, and still missing. The successful search and recovery effort resulted in the publication of a book, "Courtesies of the Heart". Since that first effort, I have been involved in numerous searches and document research into the MIA issue, concentrating on World War II missing in action. This activity has brought me into contact with families of the missing and given me a keen understanding of the challenges that face those searching for their family members.

Over the last several years, I have come into contact with people who pursue these efforts on their own, as I do, and I have been struck by their capabilities and commitment to the cause of honoring past heroes. Whether they do this simply for the challenge, or for love of history, or to honor the missing, their efforts can greatly support and augment the government agencies that have MIA recovery as their mission.

I am privileged to know Keith Phillips of Mill Valley, California as a member of this group. Keith has proposed what is probably the most comprehensive and well studied proposal to find ways to utilize the cooperation of the non-governmental resources dedicated to MIA search and recovery. Keith has articulated the problems and the possible avenues to solution in a persuasive manner. There are numerous resources outside of governmental structure that can aid and have aided the MIA effort in the past. It is his hope that these willing and competent resources can be applied to the challenge. While the non-governmental resources cannot provide support in the final identification of MIA's, it is in the first phase, the search and location as well as document recovery, that their efforts are most needed. Nearly all recoveries of WWII MIA's begin with civilian involvement, particularly in Europe and places like New Guinea, where Keith first became involved.

It is my hope that our government will find a way to utilize the willing and capable civilians who can greatly assist in this effort.

Sincerely,

Kenneth Breaux CDR USN (retired)

## Appendix II

Breakdown of American Missing By War and Theater<sup>4</sup>

War & Geographic Area	Total Unaccounted for	Percent of Total	Total Missing and Unknown	Percent of Total	Possibly Recoverable	Percent of Total
Vietnam War: Cambodia	54	0.1%	54	0.1%	39	0.2%
Vietnam War: Laos	364	0.4%	364	0.4%	297	1.2%
Vietnam War: Vietnam	1376	1.7%	1376	1.5%	674	2.6%
Vietnam War: China	7	0.0%	7	0.0%	4	0.0%
Vietnam War: Total	1801	2.2%	1801	2.0%	1014	4.0%
Cold War	125	0.2%	125	0.1%	20	0.1%
Korean War: North	5561	6.8%	5975	6.5%	4580	18.0%
Korean War: South	980	1.2%	1431	1.6%	875	3.4%
Korean War: Total	6541	8.0%	7406	8.1%	5455	21.4%
World War II: Pacific	45120	55.2%	45120	49.5%	11386	44.7%
World War II: China/Burma/India	3585	4.4%	3585	3.9%	949	3.7%
World War II: Europe	21047	25.7%	21047	23.1%	4554	17.9%
World War II: Americas	3166	3.9%	3166	3.5%	2087	8.2%
World War II: Worldwide	73291	89.6%	81891	89.8%	18976	74.5%
Grand Total: All Wars	81758	100.0%	91223	100.0%	25465	100.0%

<sup>4</sup> (Defense Prisoner of War/ Missing Personnel Office (DPMO), October 16, 2006), Figures accurate as of September 6, 2006

## Appendix III

Relative success at Recovering the Missing by War<sup>5</sup>

	Possibly Recoverable	Annual Recoveries 2005-2007	Percent Recovered Per Year	Annual Yield Relative to Vietnam
Vietnam War	1014	26.7	2.6%	100.0%
Cold War	20	0.0	0.0%	0.0%
Korean War	5455	17.7	0.3%	12.3%
World War II	18976	38.0	0.2%	7.6%

Note that even after 30 years of intensive effort in Vietnam, far more remains are located there, as a percent of the available, than in the much less thoroughly explored other wars. This suggests that there may be ample opportunity to expand our total recoveries as efforts are applied to the older wars.

<sup>5</sup> (Department of Defense, 2008) is the source of "Possible Recovery" data. (Broward, 2008) is the source of recovery data by theater and year

Appendix IV  
Summary of Backlogs<sup>5</sup>

War	Total Unaccounted for	Possibly Recoverable	Recoveries at JPAC-CIL to be identified	Average Recoveries Per Year (2005-2007)	Year of Backlog of Unaccounted for	Years of Backlog "Possibly Recoverable"	Years of backlog at JPAC-CIL
Vietnam War	1801	1014	136	26.7	68	38	5
Cold War	125	20	0	NA	NA	NA	NA
Korean War	6541	5455	480-580	17.7	370	309	Range of 9-11 Years
World War II	73291	18976	576-768	38.0	1929	499	Range of 25-33 years
<b>Grand Total</b>	<b>81758</b>	<b>25465</b>	<b>1192-1484</b>	<b>82.3</b>	<b>993</b>	<b>309</b>	<b>Range of 17-21 years</b>

Note that we currently have 17-21 years of backlog in our identification lab and up to 309 years of backlog in the field.

<sup>5</sup> (Department of Defense, 2008) Provided quantities missing. (Broward, 2008) Provided Recoveries by year and war

**Statement for the Record to the Military Personnel Subcommittee  
of House Armed Services Committee  
for a  
Hearing on Improving Recovery and Full Accounting  
of POW/MIA Personnel from All Past Conflicts  
By  
Dr. Lester Tenney  
Commander, American Defenders of Bataan and Corregidor**

**2 April 2009**

Madam Chairwoman, on behalf of the American Defenders of Bataan and Corregidor (ADBC), which represents the surviving POWs of Japan and their families I would like to call to your and other members of the Subcommittee's attention to the fact that there remain in Japan records and certain documents concerning American prisoners of war (POWs) held by Imperial Japan during World War II. These documents have never been examined by historians, POW families, or the public. I hope that you will help change this, so that we can assure a full accounting of POWs in the Pacific.

On December 18, 2008 the government of Japan acknowledged for the first time that Allied prisoners during World War II were made to work at a coal mine owned by the family of Prime Minister Taro Aso, contradicting his longstanding denials. The acknowledgement came after the Ministry of Health, Labor and Welfare, under prodding from opposition lawmaker Yukihiro Fujita, released documents showing that 300 Australian, British, and Dutch prisoners of war worked at a mine owned by Aso Mining. Included was a letter of request from the head of the company's Yoshikuma Coal Mine in Fukuoka to General Gen Sugiyama, the Minister of War, to use 300 prisoners in the mines to undertake 12-hour working days for a year.

Japan has long used the absence of official Japanese government or industry documents to avoid responsibility for possible wartime crimes, rejecting documents from other countries or accounts of survivors. Japanese officials burned documents in Japan and across Asia in the days and weeks after the surrender to the United States. But the belief of many scholars that significant documents survive has been strengthened by recent events involving the wartime coal mine owned by the family of Prime Minister Aso.

In late fall 2008, Japanese researchers presented Senator Fujita with POW records compiled by Aso Mining during and immediately after the war. Fujita then presented these records, originally obtained from the U.S. National Archives and Records Administration, to the Japanese government for authentication. Japan's Health Ministry responded by releasing four related but different records from its basement archives, and by acknowledging that it possesses eight additional records but refusing to divulge their contents on "privacy grounds."

American POWs were not the primary focus of recent records release by the Health Ministry because the POWs at Aso Mining were Australian, British and Dutch. But it now seems very likely that this Ministry possesses records directly related to American POWs that were never

furnished to Occupation authorities and have never seen the light of day. It is further likely that other Japanese Ministries currently are holding their own POW-related records that have never been examined by independent researchers of any nationality. Japan's weak national archive system allows individual ministries and government agencies to decide which records to retain, which to transfer to the central archive, and which to destroy.

As Commander of the American Defenders of Bataan and Corregidor, a survivor of the Battle of the Philippines, the Bataan Death March, a "Hell Ship," over three years in a Mitsui coal mine near Nagasaki, and as an American, I ask you to demand the immediate release of these documents, so that POW families can learn more about their loved ones who toiled in horrific conditions for Japan and that the souls of my comrades can finally rest in peace. It is in the spirit of reconciliation and the strong U.S.-Japan alliance that has developed between once bitter enemies that these documents need to be shared with the public. They will not only answer many questions about the American POWs of Japan but also help ensure that this sordid history is never repeated.

**--Dr. Lester Tenney, Commander, American Defenders of Bataan and Corregidor**

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**Statement  
of  
VIETNAM VETERANS OF AMERICA**



**Submitted for the Record**

**By**

**Gary Jones, National Chair**

**Vietnam Veterans of America POW/MIA Committee**

**Before the**

**U.S. House of Representatives**

**Armed Services**

**Subcommittee on Military Personnel**

**Regarding**

**Improving Recovery and Full Accounting of POW/MIA  
Personnel from all Past Conflicts**

**April 2, 2009**

**Vietnam Veterans of America**

**House Armed Service Committee  
Subcommittee on Personnel  
April 2, 2009**

Good afternoon Madam Chair, Ranking Member Wilson, and distinguished Members of the Military Subcommittee on Personnel, Committee on Armed Services. Vietnam Veterans of America (VVA) appreciates the opportunity to present our views for the Record on improving recovery and full accounting of POW/MIA personnel from all past conflicts.

Vietnam Veterans of America (VVA) has worked toward resolution of the POW/MIA issue for more than 30 years -- since our founding in 1978 -- aiming for the fullest possible accounting of all POW/MIAs. In fact, as we note every year in our annual testimony before the joint hearing of the House and Senate Veterans Affairs Committee, the fullest humanly possible resolution of the fate of our POW/MIAs continues to be the highest priority of our organization. VVA pursues that priority by advocating for and monitoring government-to-government efforts, raising public awareness, and calling upon private persons and groups to come forward with any information they had that might shed light upon individual cases.

VVA has a national POW/MIA Affairs Committee required by its constitution, as well as active state and chapter committees. These committees are the core of an integrated effort that has put POW/MIA flags above public buildings across America, has shared information with every other POW/MIA organization in the country, has let members of Congress and the President know that this priority is strong and alive. Our regular national publication, *The VVA Veteran*, updates all VVA members on POW/MIA issues.

VVA began POW/MIA missions abroad in 1981, to convince Vietnam of the commitment of American veterans to the fullest possible accounting. Against the urging of several U.S. government agencies, VVA leaders first discussed POW/MIA issues with Vietnam in 1981, and with Vietnam and Cambodia in 1989 during a humanitarian visit. Both trips contributed to POW/MIA talks being opened by those respective countries with the U.S. government. VVA has also taken part in presidential and congressional trips. As early as 1982, VVA was instrumental in the return of the remains of POW/MIAs. Vietnam's foreign minister said Vietnam would work with VVA on POW/MIA and Agent Orange issues. In 1985, Vietnam asked VVA leaders to visit Hanoi every three months to work on issues. While we have not been able meet that request, we have sent delegations approximately once per year to pursue the VVA "Veterans' Initiative" program.

Today there are 1,742 missing and unaccounted for since the end of the Vietnam War in 1975; 1,334 in Vietnam, 343 in Laos, 57 in Cambodia and 7 in PRC territorial waters. 90% of the 1,742 that are still missing from the Vietnam War were lost in Vietnam or in areas of Laos and Cambodia under Vietnam's wartime control.

We believe that Congress must exercise close oversight to ensure that the maximum effort is made to secure the release of any American who might still be held captive, and to recover the remains of those who have perished.

**Vietnam Veterans of America**

**House Armed Service Committee  
Subcommittee on Personnel  
April 2, 2009**

Madam Chair, every President since President Gerald Ford has noted that the Nation's highest priority is the fullest possible accounting for our Missing in Action (MIAs), whether they be Prisoners of War or that this activity be recovery of remains, and returning these remains to American soil. In any case, resolution for the families involved is essential. We urge this distinguished Subcommittee to ensure that the resources are there to do the job right. The Joint POW/MIA Accounting Command (JPAC) budget for 2006 fell about \$3.6 million short and caused the cancellation and scaling back of many investigative and recovery operations. VVA requests that JPAC funding be a mandatory single line item budget in the FY2010 budget, just as the Defense Intelligence Agency's (DIA) Stoney Beach Team is, so that these accounting operations don't have to compete with other funding priorities within DOD.

VVA also recommends that United States government continue to press the Vietnamese government to increase its unilateral efforts, and to demonstrate greater cooperation by facilitating follow-up of live sighting reports, expanding its participation in joint remains recovery efforts, opening its wartime archives, and helping to locate Vietnamese citizens and soldiers who witnessed incidents of loss. VVA further urges that you request that the President of the United States continue to press the Vietnamese government, as a matter of highest priority, for the fullest possible accounting of POW/MIAs lost in the Vietnam War, utilizing both joint and unilateral activities. Specifically, we have called for the highest priority of effort to be focused on the accounting for:

1. Any American POW/MIAs who may still be alive in Southeast Asia and held against their will; and
2. Those last known alive or known to have died in captivity.

Needless to say, VVA also believes that the accounting for and return of the remains of American soldiers believed to have been killed in action without their bodies being recovered must also be treated as a priority matter and aggressively pursued. We also strongly urge similar efforts with the governments of Laos and Cambodia.

VVA continues to seek the fullest possible accounting of the status of any American service member who had been a Prisoner of War or had been declared Missing in Action (or, in current terminology, DUSTWUN: "Duty Status Whereabouts Unknown" for the wars in Afghanistan and Iraq). While we appreciate the efforts of the United States government to search for remains of our troops in Southeast Asia, we advocate for an increase in funding to fund additional teams so as to speed up the searches. In addition, efforts on the Korean peninsula and with China must continue insofar as we are able to engage on this issue with those governments.

We know of certain individuals, sons of servicemen missing or killed in action whose bodies have never been recovered yet for whom the locations of their demise is known, who have been told that it will be years before teams of searchers can get to these sites. Why? Because there are scores of other sites that have been identified and have priority.

**Vietnam Veterans of America**

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April 2, 2009**

This isn't right. There is still too much pain from the Vietnam War that is felt, daily, by the families of those who have never returned. Additional teams in both Vietnam and Laos can go a long way towards speeding up the process of discovery and exploration, to include revisiting sites already visited once to be sure that all possibilities have been exhausted.

Additionally, VVA shall continue to press to have all government documents pertaining to POW/MIAs from Vietnam and earlier conflicts are declassified and released for public inspection this year. Certainly, after almost 35 years since the end of the war in Vietnam, any assertion that our national security will be compromised by taking this declassification action simply strains credulity to the limits.

VVA also seeks a public awareness program to be implemented by the Department of Defense to inform families of those still listed as POW/MIA of the need to provide DNA samples for potential identification of their loved ones whose remains might be recovered years from now.

VVA shall encourage Congress to pass a resolution urging the government of Vietnam to provide all relevant wartime records on American POW/MIAs, and to renew calls for Vietnam to make all possible efforts to help us to recover and repatriate all remains of service members still unaccounted for in Vietnam.

We also advocate removing the proprietary "ownership" of individual organizations and agencies from the effort to recover remains and learn of the fate of those who were known to have been captured but never returned home. VVA and the VFW, for instance, have nearly identical programs like the one we call the "Veterans Initiative." While VVA started our program first, when the VFW asked if we objected to them doing the same or a similar effort, we said please do all you can. We are all on the same mission. The only difference is that the VVA takes our effort to the provinces personally, on visits as often as we can manage, not just to the central government in Hanoi. While there are many different approaches to the mission, the mission remains the same, and a unified effort would be more powerful and productive than the splintered approach that we see with all the many "POW organizations."

Perhaps more important, we (collectively and our government) need to concentrate more on developing relationships between our nation and the countries of Southeast Asia. These relationships should be on a person-to-person basis, one veteran or one citizen to another. Organizations should promote visitations between people and spend less time on catering to the "I-can't-forget -the-war groups." VVA has consistently stated for the past decade that without the fullest possible accounting of all of our service members the Vietnam War, America's longest, is not over. We do acknowledge that Vietnam has made some serious efforts to assist our government in achieving the fullest possible accounting for our Southeast Asia POW/MIAs. Nonetheless, we still earnestly believe

**Vietnam Veterans of America**

**House Armed Service Committee  
Subcommittee on Personnel  
April 2, 2009**

that the Vietnamese government can, and must, do more. Similarly, our government can, and must, do more.

In closing we would like to thank the efforts and sacrifice that the men and women of the Joint POW/MIA Accounting Command and its predecessors; the JCRC, JTF-FA, CIL-HI, and Stony Beach have made in the pursuit of the fullest possible accounting of our Prisoners of War and Missing in Action.

Few Americans are aware of the difficulty and danger involved in the pursuit of the JPAC organization's mission – the collection of information, investigation, physical recovery, identification, and return of our missing service members from not only the Vietnam War but also from past and current military actions. There has been an ongoing mission of the highest priority since before the official end of the war in Southeast Asia. Committed to their JPAC motto, "Until They are Home," the men and women of JPAC perform their duties to the highest professional standards, even when confronted with the potential dangers involved.

Madam Chair and members of the Subcommittee on Personnel, thank you for the opportunity to present our views for the record.

**Vietnam Veterans of America**

**House Armed Service Committee  
Subcommittee on Personnel  
April 2, 2009**

**Gary Jones  
Saint Louisville, Ohio  
Chairman, VVA National POW/MIA Committee**

Gary was born April 20 1942 in Newark, Ohio. He attended the University of Washington, Seattle on a U.S. Navy Officer training program and graduated with a degree in geology and Naval sciences in 1964. In 1965 he made his first tour to Vietnam as a line officer aboard the USS Hull DD945 patrolling the coast from Danang to Hai Phong Harbor. In 1968 and 1969 Gary was back in Vietnam as Officer in Charge of the Naval Support Activity detachment at Dong Ha on the Cam Lo River, Quang Tri Province. Gary returned to the US in the summer of 1969 and joined his father in the agricultural industry. He worked there until the 1980's when he joined the Ohio Department of Natural Resources serving in many conservation roles until retiring after serving as an Ohio State Park Manager for several years.

Gary became active in veterans organizations in the mid 1990's when he joined the Vietnam Veterans of America. He has now been a member of the American Legion and the Veterans of Foreign Wars for many years. He is also very active in the Licking County Veteran's Alliance color detail that handles over 150 funerals and color details each year.

Gary is the National chairman of the VVA's POW/MIA Committee. The Veterans Initiative Program (VIP) is a part of this committee. This program collects and shares information on the possible location or fate of Vietnamese soldiers from the Vietnam War. This effort has spawned great cooperation with the Vietnamese government and people to help locate missing Americans from the war. Gary has been back to Vietnam many times to work with the Vietnamese veterans on this issue.

Gary has worked many years on the National Agent Orange committee to help gather information and spread it to medical personnel and service personnel who were exposed to dioxin poisoning. He has also worked with the Vietnamese on this issue in Vietnam.

He also serves as a Licking County Veteran Service Commissioner assisting veterans and active duty personnel when needed financially and advising and directing them to the VA. He is a board member and secretary of the Vietnam Veterans Buckeye Foundation. This Foundation offers Grants to organizations and individuals to develop programs that help veterans. A recent project was the total sponsorship of the first Cleveland Clinic PTSD Symposium for medical personnel that come in contact with patients not in the VA system. A second and larger symposium has already been planned due to the encouragement of the Cleveland clinic.

Gary lives with his wife Diana in Saint Louisville, Ohio. They enjoy their three sons and their families and you usually find a Gary in the woodshop making furniture or messing in his woods when not working with local veterans.

**Vietnam Veterans of America**

**House Armed Service Committee  
Subcommittee on Personnel  
April 2, 2009**

**VIETNAM VETERANS OF AMERICA  
Funding Statement  
April 2, 2009**

The national organization Vietnam Veterans of America (VVA) is a non-profit veterans' membership organization registered as a 501(c) (19) with the Internal Revenue Service. VVA is also appropriately registered with the Secretary of the Senate and the Clerk of the House of Representatives in compliance with the Lobbying Disclosure Act of 1995.

VVA is not currently in receipt of any federal grant or contract, other than the routine allocation of office space and associated resources in VA Regional Offices for outreach and direct services through its Veterans Benefits Program (Service Representatives). This is also true of the previous two fiscal years.

For Further Information, Contact:

Executive Director of Policy and Government Affairs  
Vietnam Veterans of America  
(301) 585-4000, extension 127

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**QUESTIONS SUBMITTED BY MEMBERS POST HEARING**

APRIL 2, 2009

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### QUESTIONS SUBMITTED BY MRS. DAVIS

Mrs. DAVIS. Do you think creating a Defense Field Agency to consolidate all POW/MIA affairs will help create a more efficient unity of effort especially with respect to funding and providing resources?

Ambassador RAY. While unity of effort is highly desired, and we have been working hard to obtain it in the accounting mission, creating a Defense Field Agency that consolidates all the organizations involved in POW/MIA affairs is problematic. Organizations such as the service casualty and mortuary affairs offices, the Armed Forces DNA Identification Laboratory, and the Air Force's Life Sciences Equipment Laboratory play an important role in the personnel accounting community, but they also have other missions as well. They would not be as effective if incorporated into a new Defense Field Agency, and it would not be efficient to duplicate the parts that support the personnel accounting community. Some efficiencies might be achieved by combining DPMO and JPAC into a single agency or under a single headquarters, but this needs careful study.

Mrs. DAVIS. Collecting Family Reference Samples for comparison to remains is a slow process. Currently the service casualty offices are responsible to interface with the families and collect the samples for CIL. CIL will often send request for samples for remains they are examining and often wait over a year to receive the sample. Although the services state it is a priority, there are other challenges they face with the current conflict and managing the families of recent casualties. Should JPAC have a larger role in the collection of Family Reference Samples?

Admiral CRISP. JPAC has taken a larger role in overall management of the Family Reference Sample (FRS) issue by hosting the first "FRS Summit" (8-10 June 2009). All organizations involved with this critical portion of the accounting effort were present. DPMO is also leading an FRS working group and Lean Six Sigma project and PACOM and the Joint Staff are committed to supporting a genealogical surge effort to begin in 2010. JPAC has a significant role in providing requirements for the collection but the actual family contact and collection remains with the SCO's. Although the Services are the primary interface with families, they are understandably focused on current death and support to current war families. Therefore, JPAC is recommending a temporary 3 year, 17 to 21 person "Task Force" to meet a requirement to obtain 90% of currently requested samples within 3 years. OSD is coordinating with Joint Staff to ascertain the best approach to managing this project. If determined appropriate, with additional resources, funding and personnel, JPAC is poised to manage this 3 year project.

Mrs. DAVIS. JPAC is attempting to hire 16 anthropologists. The job announcement closed on 29 March 2009. How many applicants did you receive from this job announcement?

Admiral CRISP. JPAC is not attempting to hire 16 Anthropologists. JPAC added 5 physical anthropologist positions to the laboratory effective 1 March 2009 which brought our total vacant physical anthropologists billets to 8. JPAC is attempting to hire forensic Anthropologists at 4 different levels, entry through Senior, Board certified. We maintain open job announcements for qualified candidates at all of these levels. Since March, 4 qualified applicants have been offered positions, 3 have accepted.

Mrs. DAVIS. There is concern that you are misleading your personnel strength, especially with Anthropologist, by including interns in your strength numbers. You stated this brings your manning from approximately 86% to 115%. If the interns are not qualified anthropologist, how can you realistically include them as part of your operational strength?

Admiral CRISP. The reference to 86% manning in my written and oral statement referred to the percentage of JPAC's military and civilian authorized strength and did not include interns or Oak Ridge Institute of Science and Education (ORISE) Fellows; the statement was not specific to the Laboratory. Interns were not included in our strength numbers. I reported two categories of manning for the laboratory, federal civil service and ORISE Fellows. When reviewing the total work effort, ORISE Fellows, the majority of who have master's and doctorate degrees in anthropology with significant case work experience, work full time within JPAC per-

forming similar jobs as our federal civil service employees. Federal employment, military and civil service civilian personnel, in the laboratory was at 78% in April. To ensure clarity, JPAC will no longer report ORISE Fellows when discussing personnel manning.

Mrs. DAVIS. What is the cost of this new Radiograph matching technology that is being developed and tested. How promising is this technology and how soon can it be in place to help the identification effort?

Admiral CRISP. The total cost (to date) for the project is \$450K. We anticipate an additional \$230K will be required in FY2010/2011 to complete the project. These costs do not include the federal civilian service labor costs associated with the scientists working the project.

The method promises to provide a means of matching remains to antemortem records that has greater probative value than mitochondrial DNA and comparable value to dental radiographic matching or nuclear DNA profile matching. It has the potential to play a key role in as many as 200 identifications from the Korean War Punchbowl Unknowns and numerous other Korean War cases. While JPAC is accelerating the project, estimated completing date is 1.5 to 2.2 years.

#### QUESTIONS SUBMITTED BY MR. WILSON

Mr. WILSON. Please explain what you believe the study you have contracted for will provide in terms of the organizational structure of the personnel accounting community, the manning and the resources required to double the identifications?

Ambassador RAY. DPMO tasked the Institute for Defense Analyses (IDA) to identify viable alternatives for enhancing the efficiency and effectiveness of the JPAC Central Identification Laboratory's current operations. This should include how various structural, resource and manning changes in the laboratory, as well as the personnel accounting community, can impact the rate of identifications.

Mr. WILSON. Would the study provide a basis for decisions related to increasing identifications three-, four-, or five-fold?

Ambassador RAY. The study was aimed at increasing the number of identifications to 180 per year by 2014—a 100% increase over the five-year average for years 2003–2007. Once we receive and evaluate the study results, we will determine whether it provides a basis for an increase beyond that level.

Mr. WILSON. You will be gone from your position well before any implementation of the study's recommendations. To what extent have officials in the DOD staff and the Joint Staff committed to carrying out the recommendations of the study?

Ambassador RAY. Once we have received and evaluated the study's conclusions, we will brief the senior OSD policy leadership and appropriate members of the Joint Staff on the findings and recommendations. At this point, it is not possible to say what the reaction to the study will be.

Mr. WILSON. What factors contribute to the low manning percentage at JPAC?

Admiral CRISP. Our current manning is 86% with 97% military and 70% civilian; we are authorized 407 billets, 246 military and 161 civilian. We currently have 239 military and 112 civilians onboard. The low percentage is due to two primary factors; 74 military to civilian conversions and the closing of the Navy Human Resource Service Center (HRSC)-Pacific, our servicing personnel center. The HRSC-Pacific was part of a base realignment and closure which directly impacted JPAC's ability to hire personnel. As of January 2009, HRSC-Northwest has managed JPAC's personnel actions and made our requirements a top priority.

Mr. WILSON. When do you believe that JPAC will be fully manned at 100 percent of your current authorizations? Does current manning guidance from PACOM or the Navy set a prescribed manning level for JPAC that is below 100 percent? If so, what is the directed manning level?

Admiral CRISP. Our current manning is 86% with 97% military and 70% civilian; we are authorized 407 billets, 246 military and 161 civilian. We currently have 239 military and 112 civilians onboard. It is unlikely JPAC will achieve and sustain 100% manning due to the dynamics of military and civilian personnel systems. There is no prescribed manning guidance from US Pacific Command or Department of the Navy that drives our military or civilian manning below 100%.

Mr. WILSON. To what degree is the Hawaii location of the Central Identification Lab contributing to your difficulties in recruiting and retaining qualified specialists like anthropologists?

Admiral CRISP. Forensic scientists with the requisite skills are a high-demand, low density demographic. The demand for forensic scientists has grown in recent years throughout the world which has impacted the available candidate pool. This situation is not unique to JPAC or Hawaii, but is a common challenge facing any

organization largely dependent on personnel drawn from highly specialized fields. The high cost of living associated with Hawaii and geographic separation from professional colleagues presents additional challenges. JPAC is attempting to overcome some of these challenges by aggressive recruiting efforts and offering special incentives such as assistance in student loan repayment, relocation/recruitment bonus, paying for relocation to Hawaii for new employees, and creating additional promotional opportunities to retain and recruit Anthropologists. JPAC is currently requesting the use of Target Local Market Supplement.

Mr. WILSON. To what extent should your budget be protected from budget cuts in the year of execution?

Admiral CRISP. Budget cuts in the year of execution result in the cancellation or reduction in scope of JPAC recovery missions and identifications. The unique mission of JPAC requires significant planning and coordination with host nations, with negotiations often occurring more than one year in advance. Last minute changes to negotiated arrangements, due to budget cuts in the execution year not only impact the mission but affect forging partnerships.

Mr. WILSON. Could you elaborate on what "checks and balances" would be lost through a more centralized authority over the personnel accounting process?

Ms. GRIFFITHS. Since the end of the Vietnam War, I have witnessed several moves to centralize and decentralize over nine administrations under six presidents. With centralized control, political agendas, self-interest, self-promotion and self-preservation can become the paramount objectives, as can expansion of the core power base, leading to self-reinforcement, instead of clear focus on an organization's mission. With one central authority over both developing and establishing policy and planning and controlling implementation of operations, priorities become misplaced and criteria to judge success becomes self-fulfilling. With total control, there is little competition for excellence and even less tolerance for outside inputs and opinions. Those in total control hold all the keys, have all the answers, control the funding and can readily manipulate the personnel, yet still go unchallenged.

A sense of entitlement seems to come with centralized control. This can generate excessive focus on justifying the organization, rather than utilizing the system to address issues of importance to the mission of achieving defined objectives though, with total control, even the objectives are self-determined. Protection of centralized control induces fear of recrimination, and fear of recrimination dampens open dialogue, introduction of concepts and honest critiques of established processes.

Before long, the mission is left with one set of self-important, but comparatively uninformed officials talking with each other, and another set of self-preservationists simply going along to get along and retain employment. The combination contributes only to what is expected and desired, rather than the best judgments, based on experience, of people who are led by the example of inspired leaders.

The central authority finds greater comfort in hearing from those who are like-minded, or feign such, than in dealing with those whose opinions raise questions or require solutions. Such are the apparent reasons behind the current push for DPMO to be the central control of all matters pertaining to the POW/MIA accounting effort and the basis for insulating policy decision-making by cautioning US officials involved in the process to refrain from "pre-decisional consultation" outside their own organization or certainly outside official channels.

Frustrations stem from the penchant of some to keep secrets, even withholding vital information from others on the misplaced theory that knowledge is power, rather than recognizing the utility of sharing relevant data with those who have a legitimate need to know and are working to solve problems and find solutions. Self-confident, inquiring officials from all the organizations with different funding streams, if unafraid to raise questions and offer comments, have the best set of circumstances for creating smart policy and providing guidance for successful implementation. This openness, however, is feared most by those afraid to expose to the outside world their own ineptness or lack of serious interest. At its best, an open-minded interagency approach is useful in drawing out recommendations and concepts for improvements that can then be balanced against the policy objectives and vested interests espoused throughout an interagency community. The advantages of interagency coordination and cooperation far outweigh the negatives, especially with highly qualified people of integrity in each diverse organization.

Ironically, in no other official priority is such insulation either sought or allowed; in fact, it is quite the contrary, especially as thus far undertaken by the current administration. We look to this Subcommittee for closer oversight and preservation of an open decision-making process, with input from all agencies involved as stakeholders under policy guidance from OSD and implementation at the lowest possible level by personnel closest to the problems and challenges on the ground.

Mr. WILSON. If JPAC were resourced and funded to expand the number of detachments it could field, would you still object to deploying JPAC detachments to improve the personnel recovery process of the 80,000 World War II POW/MIAs?

Ms. GRIFFITHS. For purposes of understanding the question, I will assume the word "detachments" equates to "teams" . . . believing that may be what the question is truly asking. Several other points in the question, however, require clarification, including the differences in outcomes of the various wars that impact JPAC's expanded accounting mission, including the fact that there are not "80,000 World War II POW/MIAs."

Without going into numerical detail, the term "POW/MIA" does not realistically depict the status of unaccounted for Americans from WWII. Roughly half of the 78,000 still unaccounted for from WWII are and will remain KIA/BNR; thousands of these personnel are officially considered buried at sea due to the sinking of many US Navy vessels during that worldwide tragedy. This estimate is based on DPMO's publicly available statistics and on-the-record statements by Ambassador Ray.

As to differences in each war's outcome, WWII was won by the United States and her allies so, to a large extent, there was access to the battlefield, unlike the end-result of the Korean War and the Vietnam War. The Cold War is in its own realm, equating more to spy episodes than to combat, though no less heroic and, in many instances, much more critical to our nation.

Approximately 90% of sites estimated as potentially recoverable and possibly over land masses are in the U.S. Pacific Command's area of operations. It is entirely feasible that with increased funding and personnel, JPAC could field more investigation and recovery teams, thereby addressing more cases across all conflicts each year. As I testified on April 2nd, with those increased teams would also come a requirement for support personnel in JPAC headquarters, as well as increased personnel requirements in the Service Casualty Offices to support family outreach and notifications.

Specific to the question of adding JPAC Detachments, placing one in Papua New Guinea (PNG) could serve a regionally useful role to facilitate WWII-related investigations and recoveries in Palau, Vanuatu, the Solomon Islands and other such locations. However, in countries such as South Korea where US Armed Forces are stationed, these personnel can be tapped for support within existing structure and manpower, as is done routinely by JPAC today.

Likewise, in Europe, there is no compelling need for a JPAC Detachment. There are plenty of US Armed Forces stationed in Germany, Belgium, England, Spain and other countries with mortuary and other skills for simple exhumations. The U.S. Army Mortuary-Europe supports JPAC operations and, with increased training, personnel and funding, to include adding a JPAC liaison and research historian, this existing mortuary could potentially assist in more European missions.

Burial locations of U.S. and Allied forces in Europe, former states that comprised the Soviet Union and Russia will continue to be discovered for decades, as populations shift and grow, as fields once farmed become locations for shopping centers or other development. In Russia and former Eastern European countries, JPAC's work is augmented by the U.S. personnel of the Joint Commission Support Directorate (JCSD), manned by specialists who conduct interviews, investigations and surveys. When discoveries are made, there should obviously be an attempt to recover and identify the remains of any American veteran, though uncertainty is unlikely for their immediate families at this point in history. The families of unreturned WWII veterans long ago accepted the reality that their loved ones are deceased. In fact, many "unknowns" are buried as "Unknowns" in American Cemeteries throughout Europe.

The truce that halted combat in the Korean War left the U.S. without access to vast areas north of the 38th parallel, but with a large number of forces stationed in what became South Korea. This was particularly tragic in relation to known POW camps, controlled by the Communist Chinese People's Liberation Army. At least 389 Americans known to have entered these camps alive were not returned in the "Big Switch" and "Little Switch" operations called for at Panmunjom. Many U.S. and Allied POWs died in these camps and were buried in cemeteries located adjacent to the camps, as evidenced by photographs taken in the early 1980s, and U.S. archival records.

Pursuing answers on Korean War losses was halted by the U.S. for reasons having nothing to do with the POW/MIA issue and linked to national security, nuclear proliferation and political considerations. Unless there is high level administration willingness to seek cooperation from the PRC for access to sources and archival documents related to the POW camps, and to talk bilaterally with DPRK officials on a separate, humanitarian basis to reach agreement on access and compensation terms, there will be no accounting in the near term for those missing and KIA/BNR

in North Korea, even those initially listed as POWs. The U.S. can and does pursue surveys and remains recoveries of those killed and buried in unknown locations in South Korea. For that to occur, no JPAC Detachment is needed, due to the presence of U.S. Armed Forces, the longstanding role of the United Nations Command, and the priority that the South Korean Government has placed on accounting for their own people by forming MAKRI, their version of JPAC and its Central Identification Laboratory.

There has recently been a “strawman” raised in the context of establishing JPAC field operation priorities that no POW/MIA is more important than another in terms of scheduling, that all are equal. On its face, this statement appears valid, but it also ignores the differing outcomes from various wars and the different approaches required for achieving the fullest possible accounting from all wars. Gaining cooperation from, and access to, countries where U.S. losses occurred during the Vietnam War was a product of intense, high-level negotiations, once internal U.S. priority was established. The same will be true for North Korea. Recovering KIA/BNR personnel from WWII sites does not require such efforts since many of the governments involved are former allies and/or non-hostile.

The answer lies in expanding resources and personnel to meet increased requirements, not shifting them from operations in Vietnam, Laos and Cambodia. In conformity with all being equal in priority, it should not be a zero-sum-game, and families with loved ones missing from one war should not be pitted against one another. The League supports increased resources and personnel, smartly deployed, to account as fully as possible for those missing from all of America’s wars and conflicts.

As for the priority placed on the Vietnam War veterans still missing and unaccounted for in Southeast Asia, the country of Vietnam was and remains the controlling factor in 90% of all loss locations. Due to comparatively advanced wartime communication capabilities, much is known about the degree to which the Vietnamese government can, on its own, account for missing U.S. personnel. This is especially true on discrepancy cases of U.S. personnel last known alive in captivity or alive on the ground and in immediate proximity to capture. Unilateral provision of archival records would also facilitate joint field operations by identifying potential witnesses who could be located and interviewed for relevant case-specific data. In that interview process, the Defense Intelligence Agency’s POW/MIA investigation specialists, known as the Stony Beach Team, augments JPAC’s capability by applying their skills and experience to obtaining relevant information.

At the time of my testimony, I had just returned from a trip to Vietnam, Laos and Cambodia where meetings were held with each country’s senior officials. We were accompanied in all meetings by the U.S. Ambassador to each country, the JPAC Detachment Commanders and by Defense Attachés in Vietnam and Cambodia. While I reported previously on the very positive outcomes in Laos and Cambodia, the focus continues to be on Vietnam due to its unique ability to contribute to the accounting, if motivated. That is why their consensus proposal to expand the pace and scope of joint field operations is particularly important. Their rationale for proposing the expansion were expressions of earlier U.S. concerns, i.e. potential destruction of incident sites due to development, and death or failing recollections of witnesses.

This timely expansion should be accomplished by increasing U.S. capability, not by reducing remains recoveries related to earlier wars and conflicts. Meeting Vietnam’s proposal to expand accounting efforts will require a commitment by the Obama Administration to increase the budget and number of people involved despite the necessary continuing focus on counter-terrorism and the wars in Iraq and Afghanistan. The increases for JPAC, from their headquarters and laboratory complement to field operators, would also require plus-ups in support organizations, casualty offices, LSEL and AFDIL, but there should be little to no impact on DPMO as the DoD office responsible for providing policy guidance and oversight, not conducting operations, except for JCSD–Moscow, the only forward-deployed operational element of DPMO.

Again, we must rely on the Committee to advocate and closely monitor the Administration’s effort to honor commitments to America’s POW/MIAs and their families. Our Armed Forces serving today depend on all of us to ensure that we are there for them, that we have their backs, should they be captured or become missing. Because of America’s commitment to our POW/MIAs, nations around the world are now doing much the same, and that leadership is important to our country’s core values.