

Bob Dole



NEWS

U. S. SENATOR FOR KANSAS

FROM:

SENATE REPUBLICAN LEADER

FOR IMMEDIATE RELEASE
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POW/MIA

DOLE INTRODUCES MISSING SERVICE PERSONNEL ACT OF 1994; **ESTABLISHES FAIR, EQUITABLE DOD PROCEDURES FOR** **DETERMINING STATUS OF PERSONNEL MISSING IN ACTION**

WASHINGTON - Senate Republican Leader Bob Dole late Friday introduced the Missing Service Personnel Act of 1994 on the floor of the U.S. Senate. Senator Dole's remarks follow:

Today I rise, with my colleague, Senator Lautenberg, to introduce the Missing Service Personnel Act of 1994. The legislation we introduce today, which builds on the recent amendments introduced by Senator Smith to the Defense Authorization Act, would reform the Department of Defense's procedures for determining whether members of the armed forces should be listed as missing or presumed dead. Legislation pertaining to those missing in action has not changed in the past fifty years. Since the Vietnam War, the Department of Defense and the U.S. government have been criticized for their handling of the POW/MIA issue. Some of that criticism is legitimate. Some of it has been brought upon the government by its own actions or inactions. This bill attempts to correct some of those problems and establish a fair and equitable procedure for determining the exact status of such personnel. At the same time, Senator Lautenberg and I hope to restore some of the Department's credibility on this issue and rebuild faith and trust between the public and our federal government.

This bill attempts to ensure that missing members of the armed forces or civilian employees accompanying them are fully accounted for by the government and that they are not declared dead solely because of the passage of time. The legislation would establish new procedures for determining the whereabouts and status of missing persons. Additionally, the bill provides for the appointment of Counsel for the Missing, ensuring that the government does not disregard their interests and affording the missing due process of law. By ensuring access to government information and making all information available to hearing officers, while providing for protection of classified information, the proposal also attempts to remove the curtains of secrecy which often seem to surround these cases. Additionally, the missing person's complete personnel file is made available for review by the family members. Moreover, the legislation attempts to protect the interests of the missing person's immediate family, dependents, and next of kin, allowing them to be represented by counsel and to participate with the boards of inquiry. It is our hope that by allowing more participation by the family, requiring legal representation of the missing, and permitting federal court review of all determinations, we will establish fundamental fairness for all concerned.

Now let me be clear, we make no pretense that this is a perfect bill or that this bill resolves all of the concerns of all the parties with an interest in this issue. But, in an effort to build consensus, Senator Lautenberg and I have introduced this legislation as a starting point. Let me add that if veterans' support for this proposal is any indicator, then we're off to a good start. The American Legion, National Vietnam Veterans Coalition, Vietnow, and the National Alliance of Families all support this legislation.

We recognize that the Department of Defense and the military services have concerns. At the same time, we also realize that there families of missing personnel raise legitimate issues. Most importantly, we need to look at this issue from the perspective of those brave men and women currently serving in our

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armed forces. As this bill moves through the legislative process, it is our hope that all of these issues and concerns will be addressed.

We need to assure the men and women in uniform and their accompanying civilian counterparts, that this great nation will do everything possible to return them safely home in the event they become missing while serving in armed conflict. At the same time, we must assure them that a more open and fair procedure will be established to determine their exact status. I am pleased to sponsor this important legislation with the distinguished Senator from New Jersey, and urge my colleagues to support it.

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