

Bob Dole

U. S. SENATOR FOR KANSAS



NEWS

FROM:

SENATE REPUBLICAN LEADER

FOR IMMEDIATE RELEASE
Friday, January 20, 1995

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MISSING SERVICE PERSONNEL ACT OF 1995

Washington -- Kansas Senator Bob Dole today issued the following statement:

Today I rise, with my colleagues, Senator Simpson, Senator Lautenberg and Senator Lieberman, to introduce the Missing Service Personnel Act of 1995. This legislation is similar to that which was introduced last year but which the Congress was unable to consider before adjournment. The legislation 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 most of those problems and establish a fair and equitable procedure for determining the exact status of such personnel. At the same time, it is my hope that we can restore 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 Persons, ensuring that the government does not disregard their interests and affording them due process of law. The proposal also attempts to remove the curtains of secrecy which often seem to surround these cases by ensuring access to government information and by making all information available to the hearing officers. Additionally, the missing person's complete personnel file would be 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 persons, and permitting federal court review of all determinations, we will establish fundamental fairness for all concerned.

We recognize that the Department of Defense has concerns about this legislation. At the same time, we also realize that families of missing personnel raise legitimate issues. However, in my view, we need to look at this issue from the perspective of those brave men and women currently serving in our armed forces. As this bill moves through the legislative process, it is our hope that all of these issues and concerns will be addressed.

The men and women in uniform must know that this nation will do everything possible to return them safely home in the event they become missing while serving in armed conflict. Additionally, we must assure them that a more open and fair procedure will be established to determine their exact status.

In closing, let me note the support that this legislation has already received. I have received letters encouraging the introduction of this bill from the American Legion, the Disabled American Veterans, the National Vietnam Veterans Coalition and Vietnow. Additionally, in just the short time between its introduction last year and our adjournment, this legislation gained a total of 23 cosponsors. I am pleased to again sponsor this important legislation with the distinguished Senator from New Jersey, and urge my colleagues to support it.

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