

MISMANAGEMENT OF POW/MIA ACCOUNTING

HEARING

BEFORE THE

SUBCOMMITTEE ON FINANCIAL AND
CONTRACTING OVERSIGHT

OF THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

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MISMANAGEMENT OF POW/MIA ACCOUNTING

THURSDAY, AUGUST 1, 2013

U.S. SENATE,
SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT
OF THE COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:35 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Claire McCaskill, Chairman of the Subcommittee, presiding.

Present: Senators McCaskill and Ayotte.

OPENING STATEMENT OF SENATOR MCCASKILL

Senator MCCASKILL. This hearing will come to order, and I apologize for my cold before I begin. I will try not to snuffle or cough into the microphone too much today.

We are here today to review the Department of Defense's (DOD) management of prisoners of war/missing in action (POW/MIA) accounting.

Our Nation has made a commitment to service members and their families that we will obtain the fullest possible accounting for the missing and recovery of remains for those who died serving our country. Today, the Defense Department estimates that there are about 83,000 missing U.S. personnel from past conflicts, including World War II, the Cold War, Vietnam, Korea, and the Persian Gulf War.

Over the last 5 years, Congress has appropriated nearly \$500 million for this effort. In 2012 alone, this amounted to over \$132 million, approximately \$50 million more than the previous year. Those added funds were intended to ensure that the Department had every resource it needed to increase its capacity to account for 200 missing persons by 2015, a requirement set by Congress in 2009.

On average, however, the accounting community has identified and accounted for only 72 previously missing personnel per year. Although Congress has more than doubled the overall budget of the Joint POW/MIA Accounting Command (JPAC), over the last 5 years, the additional funds have not yet yielded any significant increase in identifications.

We cannot put a price tag on this mission, but we can and must ensure that hundreds of millions of dollars that taxpayers have earned are being spent as efficiently and effectively as possible.

According to a recent report by the Government Accountability Office (GAO), the Defense Department's capacity to account for

missing personnel is, “being undermined by longstanding leadership weaknesses and a fragmented organizational structure.” In addition, disagreements and lack of communication between the various Defense Department commands and offices involved in the accounting mission have harmed the Department’s ability to improve its capacity as required by Congress.

GAO also identified significant duplication and overlap between JPAC and the Defense Department’s Defense Prisoner of War/Missing Personnel Office (DPMO), and between JPAC’s Central Identification Laboratory (CIL) and the Air Force’s Life Sciences Equipment Laboratory (LSEL).

The Subcommittee has also reviewed an internal report regarding JPAC’s internal operations. This report, which was prepared at the request of JPAC’s commanders by a Fellow hired by JPAC’s Central Identification Laboratory, found that JPAC’s Research and Analysis Division was so mismanaged that it risked, “total failure” of JPAC’s mission. It called the Division’s processes acutely dysfunctional and also found that JPAC had wasted or abused taxpayer funds on travel and, “military tourism.”

This report was banned by the former commander of JPAC and its findings did not become widely known until earlier this summer. These findings are deeply disturbing. However, since announcing this hearing, the Subcommittee staff has heard from nearly a dozen current and former members of JPAC, DPMO, and experts in the accounting community who have questioned this report’s independence and its accuracy.

I wish to state clearly at the beginning of this hearing that the Subcommittee does not have a dog in this fight. I am not here to take the side of JPAC, the DPMO, the Central Identification Laboratory, or Research and Analysis. I am here to give a loud wake-up call to everyone involved that it is time to put your squabbles aside for the good of the mission and the good of our Nation. It is unacceptable for dysfunctional bureaucracy to impede our efforts to bring closure to the families of missing personnel.

To all of those in the accounting community who work every day to find the missing, to identify remains, and to bring peace of mind to families, I thank you. You should be proud of the work that you do, and you should serve as an example to those throughout the chain of command whose pettiness, negligence, or willful ignorance allowed these problems to develop and remain uncorrected for so many years.

I hope by the end of this hearing we will understand more about the issues the accounting community is facing. I intend to raise some hard questions, including: How many of the missing personnel can reasonably be recovered and identified? And what will it actually cost to achieve this mission? We need to get these numbers straight. The family members of the missing deserve honest answers about what is feasible.

What we may not know is how quickly the Department can fix these problems. I assure you that both here in this Subcommittee and in the Armed Services Committee, I intend to stay on this until they do.

I thank the witnesses for being here and I look forward to their testimony.

I am pleased today to be joined by Senator Ayotte, whom I serve with on the Armed Services Committee. My Ranking Member could not be here today, so she is sitting in that seat and I could not be more thrilled with that, and I will now turn it over for her comments.

OPENING STATEMENT OF SENATOR AYOTTE

Senator AYOTTE. Thank you so much, Madam Chairman. It is an honor to be here with you this morning, and I enjoyed it when we had the opportunity to be the Chair and Ranking Member on the Readiness Subcommittee in the Armed Services Committee.

I think since we both serve on not only this Committee but the Armed Services Committee, I want to echo your commitment to making sure that we address the problems that have been identified by the internal report, by the GAO report, and that this must end, to make sure that we can do what is right for those that we have left behind and bring them home. So it is an honor to be here.

As you know, the Soldier's Creed includes the following words: "I will never leave a fallen comrade." These words, memorialized and memorized by our soldiers, are just as true for our entire Nation. Coming from a military family, and as I mentioned, as a member of the Armed Services Committee, I am determined, as I know the Chair is as well, to make sure that our Nation does not waver from this solemn vow.

That is why today's hearing is so important. We have a solemn duty to recover the remains of our service members who made the ultimate sacrifice in distant battlefields to preserve our freedoms and our way of life. They have earned our enduring gratitude and stand as a lasting model of patriotism and courage to us all, and their sacrifice has directly contributed to the freedom and safety that we all enjoy today. That is why it is important that we live up to the words on the POW/MIA flag: "You are not forgotten."

According to the Defense Prisoner of War/Missing Personnel Office, we cannot account for over 73,000 Americans who served in World War II, 8,000 who served in the Korean War, 125 in the Cold War, and over 1,600 in the Vietnam War. There have been 37 American POWs since 1973 and all have been returned except one, Sergeant Bowe Bergdahl. In my home State of New Hampshire, we are still waiting to learn the fate of six service members from the Vietnam War and 43 from the Korean War who remain unaccounted for.

We entrust the Joint POW/MIA Accounting Command to work on behalf of the American people to fulfill our moral obligation to find and bring home the remains of American heroes who served overseas. In light of the great trust that we place not only in you, General McKeague, but in each of you, I am incredibly disturbed, as the Chair has mentioned, with not only the internal findings of the report that was done within the DOD, but with the recent GAO report, and I think the Chair hit it well when she talked about the leadership weaknesses identified in the GAO report.

But what bothered me most was reading about the petty squabbling between the three agencies which each of you has been charged with leadership. That is not the way we do things, and we owe it not only to those fallen heroes that we need to bring home

to their families and to the American people that the squabbling end, that we get to the bottom of this, that we understand that the resources that have been given to you that, as the Chair mentioned, have increased, but the outcome has either stayed the same or decreased in terms of bringing our fallen heroes home, that we can do so much better.

Having served on the Armed Services Committee and hearing about the disputes between your agencies, it really troubled me. So we have to get to the bottom of this, and I want a commitment from each of you that this squabbling will end, that we will work together, that we will drive efficiencies to make sure that we are all working for the same result, and that is to bring our fallen heroes home, to be honest and truthful with their families, to make sure that their families know that they are not forgotten.

And so the reports, they raise serious questions. I know the Chair will have many important questions for all of you, as will I. And I want to thank each of you for being here today. We need to walk out of here knowing—I know this will be one hearing, but I think this will be one of many to make sure that we get this right. Thank you.

Senator McCASKILL. Thank you, Senator Ayotte.

Let me introduce our witnesses. Major General Kelly McKeague is the Commander of the Joint POW/MIA Accounting Command, which supports the Department of Defense personnel accounting mission in analysis, search and recovery, and laboratory investigations. General McKeague assumed command in October 2012. General McKeague began his military career serving as a civil engineering officer in various assignments in the U.S. Air Force. He has also served as Chief of Staff and Assistant to the Chairman of the Joint Chiefs of Staff for National Guard matters.

W. Montague Winfield is the Deputy Assistant Secretary of Defense (DASD) for POW/Missing Personnel Affairs and Director of the Defense POW/Missing Personnel Office. He is responsible for leading the national effort in the fullest possible accounting of American personnel missing as a result of hostile action. In addition to having served his distinguished 31-year Army career, Mr. Winfield was also the first Commanding General of the Joint POW/MIA Accounting Command.

John Goines is the Chief of the Life Sciences Equipment Laboratory.

Thank you, all three, for being here. It is the custom of this Subcommittee to swear all witnesses that appear before us, so if you do not mind, I would ask you to stand and take the following oath.

Do you swear that the testimony you will give before this Subcommittee will be the truth, the whole truth, and nothing but the truth, so help you, God?

General McKEAGUE. I do.

General WINFIELD. I do.

Mr. GOINES. I do.

Senator McCASKILL. Thank you all very much.

General McKeague, we will begin with your testimony.

**TESTIMONY OF MAJOR GENERAL KELLY K. MCKEAGUE,¹
COMMANDER, JOINT POW/MIA ACCOUNTING COMMAND**

General MCKEAGUE. Good morning, Chairman McCaskill, Senator Ayotte. It is a privilege to appear before you today, and I respectfully request my written testimony be included for the record.

When I took command of the Joint POW/MIA Accounting Command almost 10 months ago, I realized that JPAC could be operated more efficiently and effectively. Since then, my team and I, in concert with DASD Winfield and all our partners in the personnel accounting community, have worked hard to improve how we account for our missing Americans from past conflicts.

The weight of our sacred obligation, as you mentioned, Senator Ayotte, is no better captured than in a remark a sister of an Army helicopter pilot missing in Vietnam recently shared with me. She said, "The vast majority of the families who are involved have tremendous trust in your mission and in those who work our cases." As JPAC's Commander, I have the distinct honor to lead a talented and dedicated team of professionals.

Our noble mission is global in scope, with investigations needing painstaking research, recoveries challenged by inhospitable environments, and tougher identifications demanding a world class scientific enterprise. As responsible stewards of Federal funding, we are continuously seeking efficiencies and optimizing cost effectiveness.

In addition to optimizing our three mission sets, much of my focus over the past 10 months has been to improve communication, coordination, and collaboration, both within the Command and with our external partners, to ensure JPAC is structured to effectively and efficiently accomplish our mission, to establish processes which will sustain and improve the organization and mission into the future, and to provide a quality work environment for the men and women of JPAC.

Unquestionably, there are areas within JPAC that offer opportunities for improvement and we make consistent efforts to identify and address these areas. Given the complexities of our worldwide mission, it is clear we must continue to strive to improve our efficiencies and performance. Still, sequestration and a civilian hiring freeze and furloughs do present us with steeper challenges.

However, I am confident JPAC's professionals will sustain our priorities with fewer resources and balance requirements to meet mission objectives. Most importantly, we will not waver in our commitment to the families of our mission heroes, our veterans, and the American people, which is a moral imperative of the fullest possible accounting of those who lost their lives in service to this great Nation.

Prominently on a wall in JPAC's headquarters is President Calvin Coolidge's sage advice: "The Nation which forgets its defenders will be itself forgotten". The dedicated men and women of JPAC endeavor to see that this never happens.

Madam Chairman and Senator Ayotte, thank you again for the opportunity to appear before you, and more importantly, for your

¹ The prepared statement of Mr. McKeague appears in the Appendix on page 30.

support of this noble and critical mission. I welcome the questions you might have.

Senator McCASKILL. Thank you, General.
Mr. Winfield.

TESTIMONY OF MAJOR GENERAL W. MONTAGUE WINFIELD, RET.,¹ DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR POW/MISSING PERSONNEL AFFAIRS, AND DIRECTOR, DEFENSE PRISONER OF WAR/MISSING PERSONNEL OFFICE

General WINFIELD. Chairman McCaskill, Senator Ayotte, thank you for the opportunity to speak about what the Department of Defense is doing to improve the Department's efforts to achieve the fullest possible accounting for our missing DOD personnel and provide answers to their families. I look forward to discussing the responsibilities of the various members of the Department's accounting community as well as the specific collaboration between the Defense Prisoner of War/Missing Personnel Office, and the Joint Prisoner of War/Missing in Action Accounting Command.

Based on my experience as the first Commander of JPAC, I came to my current position well aware of the challenges I would be confronting. I know that the Department's personnel accounting communities suffer from organizational and structure weaknesses which have been cited in other reports and studies. Many of these structural flaws relate to the primary problem recently identified by the U.S. Government Accountability Office.

Over the past year, Major General McKeague, Mr. Goines, and I, along with others in the personnel accounting community, have made significant strides to improve our unity of effort. But this is an issue that clearly needs further work.

As I strongly recommended, the Department has begun the process of implementing all nine of the GAO recommendations. Some of the issues raised in the internal draft JPAC Efficiency Report may require additional attention and investigation. In fact, last week, the Under Secretary of Defense for Policy requested that the DOD Inspector General initiate an immediate investigation into the allegations of fraud, waste, and abuse. Additionally, the Under Secretary requested that the Director, Cost Assessment and Program Evaluation (CAPE), undertake a review of the organizational structure the Department employs to accomplish this critical mission. Fortunately, the GAO has helped us identify in a thorough and objective manner what the Department needs to do to improve our performance of the sacred mission of accounting for our missing personnel.

I would like to describe recent and upcoming activities regarding missing personnel. Last week, our Nation commemorated the 60th anniversary of the Korean War Armistice at Arlington Cemetery, where the President took the opportunity to recognize the family of a missing service member whose remains had been just identified.

Next week, I will be hosting the Department's annual meeting for family and members of American service members missing from the Korean War and Cold War. We expect approximately 430 fam-

¹ The prepared statement of Mr. Winfield appears in the Appendix on page 41.

ily members from across the country to attend the 2-day meeting that we will have the opportunity to brief them on our efforts and to account for their missing loved ones.

On July 12, I led a meeting in Salt Lake City, Utah, where we sat down and briefed 80 family members of missing service members from World War II, from the Korean War, and the Vietnam War. Likewise, I had the great honor to address the Veterans of Foreign Wars (VFW) in July, as well as the National League of Families of American Prisoners and Missing in Southeast Asia in June. Major General McKeague was with me at all of these meetings.

I know he agrees that the families and our key external partners are as determined as ever to help us improve the way we account for our missing personnel, and just as importantly, to help us improve how we provide answers to their questions. Many of our families realize that we may never find our loved ones. But they look to us to help them understand what happened, and they do not want us to give up. It has been made clear to me that not knowing the fate of a missing loved one is as painful as never bringing them home.

With that in mind, the lessons and experiences we have learned from our families and veterans have helped us shape the Department's view on how we account for those in Iraq and Afghanistan and how we support their families. I believe that with the support of Congress, the Department of Defense is taking steps to address longstanding challenges to efficiency and effectiveness in the personnel accounting community.

Thank you, and I look forward to taking your questions.

Senator McCASKILL. Thank you very much.

Mr. Goines.

**TESTIMONY OF JOHN A. GOINES III,¹ CHIEF, LIFE SERVICES
EQUIPMENT LABORATORY, U.S. AIR FORCE**

Mr. GOINES. Good morning, Chairman McCaskill and Senator Ayotte. I am John A. Goines III and I currently serve as the Chief of the Life Sciences Equipment Laboratory located at Wright-Patterson Air Force Base, Dayton, Ohio.

The Life Sciences Equipment Laboratory was established in 1983. Its function was to investigate problems associated with life support equipment and resolve issues related to Air Force mishaps. More than 30 years later, its mission support continues to expand to meet taskings from the Department of Defense, the Armed Services, and those of allied foreign nations. We occupy some 13,000 square feet in Building 17 at the Air Force Life Cycle Management Center and fall under Headquarters Air Force Materiel Command, Wright-Patterson Air Force Base, Ohio.

It is a unique facility within the DOD, and based upon comments received from numerous international visitors with regard to equipment studies and mission diversity performed, it is in all likelihood the only equipment laboratory of its type anywhere in the world.

In 1988, the LSEL mission evolved from the LSEL Chief, who was approached by the Joint Casualty Resolution Center (JCRC),

¹The prepared statement of Mr. Goines appears in the Appendix on page 44.

to examine equipment artifacts recovered in Southeast Asia to determine the feasibility of accounting for personnel based solely on the equipment. The LSEL conducted investigations, studies, and instructional programs related to a very broad range of military equipment, which are defined as life sciences equipment.

In 1993, the LSEL was tasked by Congress and the Joint Chiefs of Staff to become a support agency of the Joint Task Force Full Accounting, renamed the Joint POW/MIA Accounting Command, in 2003, and subsequently other agencies, including the Defense Prisoner of War/Missing Personnel Office. This resulted in the establishment of a dedicated LSEL POW/MIA mission, which is manned by specialists whose work involves the accountability of missing Americans from conflicts like the Indochina War Theater, the Korean Conflict, the Cold War, and the worldwide theater of World War II. Although the mission coverage is complex and challenging, the staff remains dedicated to enhancing aviation safety, sustaining and improving this Nation's military resources, and accurately resolving the status of our missing personnel for their families.

Within this context, since 1994, the LSEL has supported 194 POW/MIA cases and has accounted for the presence of 206 missing individuals out of 349 being sought. On average, the LSEL supports 10 cases per year, with an annual operating budget of \$250,000.

The LSEL staff consists of a cadre of specialists who have extensive background in numerous types of life sciences equipment types deployed by American military services. Through the use of comprehensive technical library and a large collection of equipment reference exhibits maintained by the LSEL, the analysts endeavor to match submitted artifacts to the type of equipment and specific systems from which the artifacts have originated from, identify its service applicability as well as the time period it was used. Further testing can then be applied, often employing state-of-the-art equipment along with the full resources of other laboratories and specialists at the Air Force Life Cycle Management Center to enable artifact identification to be confirmed.

Finally, all equipment and scientific test results are translated into determinations about the presence of missing personnel. Accordingly, an identified artifact, like a piece of air crew flight suit, can help reconstruct the pattern and type of its host structure, reveal information about which military service utilized it, disclose other details about when it was used and with what aircraft, until, along with all other artifacts and damage assessments, it provides an overall image of what the evidence supports about its previous user and their probable status.

Based upon such work, the LSEL and staff are totally dedicated to the resolution of the POW/MIA issue and to supporting other agencies involved in this highest national priority endeavor, to fully account for our Nation's missing personnel.

I thank you for the opportunity of providing opening remarks and I await any questions that you have for me at this time.

Senator McCASKILL. Thank you very much.

I think there are three major areas that I would like to try to get covered today. One is, who is really in charge and is the struc-

ture appropriate? Second, what are we going to do about the infighting and the turf battles? And third, have we set realistic goals and are we using taxpayer dollars in the most efficient way possible?

Let us start with the leadership question. I have to tell you that as I began preparing for this hearing, echoes of Arlington began resonating with me, because when we looked at the problem at Arlington National Cemetery, there was a lack of oversight that was really bred by no one being in charge. It was very easy to finger point because there was not a clear chain as to who was responsible.

And I will put this chart¹ in the record, but I want to hold it up because the interesting thing about this is every red box has a role. Look at that. I mean, is it any wonder that this is a mess?

And the frustrating thing about this is that back in August 1993, the Senate Select Committee on POW/MIA Affairs issued a report, and I am going to read from the report. "The U.S. Government's process for accounting for Americans missing in Southeast Asia has been flawed by a lack of organizational clarity, coordination, and consistency." That was 20 years ago. The notion that we are at that same place now is just a real head-scratcher for me.

Last year, the House Armed Services Committee pointed this out. GAO points it out. So what can you tell me about the Department's plans? It is my understanding that all of you, really, if you look at it, the only person you have in common that you report to is, in fact, Secretary Hagel, is that correct? Does anybody disagree with that assessment?

General WINFIELD. Senator, I agree with you.

Senator McCASKILL. OK. By the way, none of you are in the same down boxes here, and there are a lot of layers between you and Secretary Hagel. What can you tell me about plans to change this ridiculous organizational structure that is supposed to be working on a very focused problem? It is not like this problem is disparate. It is not like we are talking about, lift needs for the Air Force or we are talking about logistic needs for the Army. We are talking about locating the missing remains, which involves, obviously, science, it involves personnel, it involves cooperation of the various branches, but if we do not get this fixed, they are going to be back here in 20 years yelling at you guys.

So, tell me, General McKeague, what are the plans right now for reorganizing this in a way that we can hold somebody accountable?

General McKEAGUE. Chairman McCaskill, as you know, the GAO, that was their first recommendation of the night, was to look for the Department to consider some sort of consolidation. I do not look at this necessarily from the standpoint of this being—we all have different roles. My role is clearly the operational arm of the accounting community. I do not delve in policy. I do not delve in notification to families. But I know my partners do. And so I can assure you that as part of the Department's implementation of the GAO's recommendations, recommendation No. 1 will be looked at seriously.

Senator McCASKILL. Well, what does that mean?

¹ The chart referenced by Senator McCaskill appears in the Appendix on page 47.

General McKEAGUE. I think we will—

Senator McCASKILL. Who is looking at it, and what is the timeline?

General McKEAGUE. Dr. Miller—this is more for DASD Winfield, but I will answer what I know. Dr. Miller has instituted a review of the GAO recommendations. As you know, the Department has accepted eight of the nine and a partial concurrence of the ninth, and we are implementing many of those recommendations. Some of them have already been implemented. And I would view the consolidation question to be at the top of the list.

Senator McCASKILL. OK. That is not completely reassuring to me, and I will followup with Dr. Miller for a timeline. But I think we need to know what the specific response to the recommendation is going to be. And this is not something that should take 2 years to study. This is something that somebody ought to be able to tell us, we are going to look at the organizational structure and we are going to make recommendations for change by this date, and that is what I am looking for.

Do either of you have any input on a date specific that we can look for some kind of plans to—and I get that we all have different missions here, but you cannot argue with the fact that even within your command, you have two departments that are fighting like 12-year-olds.

General WINFIELD. Senator, if I may, the Department has, in fact, accepted all of the recommendations from the GAO. And in response to the GAO and also the internal JPAC report, the Under Secretary of Defense has directed that two reviews be conducted. First, he has directed that the DOD IG take a look at all malfeasance. Second, he has directed that CAPE takes a look at the organizational structure of this organization, of the entire accounting community.

He has not put a timeline on exactly when we will have the results of these reviews, but I will assure you that it is not going to be a very extended period.

Senator McCASKILL. OK. Well, you can—and we will—I am sure that Senator Ayotte will join me in a letter to Dr. Miller. Dr. Miller needs to know, we need a date—

General WINFIELD. Yes, ma'am.

Senator McCASKILL [continuing]. Because we are going to hold him accountable to the date. And I think we will also direct the letter to Secretary Hagel, that this is something that demands some of his attention to get this thing straightened out once and for all.

And it is not that I do not think you guys are not capable of working with each other. But the problem, the accountability piece of this—and this is what we found over and over in Arlington—that when there is a problem, it is way too easy for you guys to fade with a finger pointing. Well, that is CIL, or that is over in DPMO, or, oh, that is in JPAC. If we get this concentrated with some kind of very clear chain of authority, then we will do a much better job of making sure that we are not getting excuses as opposed to real problems that we need to help you solve.

I have a lot of other questions, but I will turn it over to Senator Ayotte now.

Senator AYOTTE. I want to thank the Chair, and let me just followup on what Senator McCaskill just asked about.

The 2010 Defense Authorization, in fact, directed this very issue. In fact, it asked the Secretary of Defense to implement a comprehensive, coordinated, integrated, and fully resourced program to account for missing persons. I mean, that is an excerpt from it right there. Section 541 set a goal of asking for this plan, a comprehensive, coordinated plan, be submitted so that we could accomplish, as you know, recovery of 200 remains each year to bring back to their families.

And one of the things that the GAO identified was the fact that because of the problems with the organizational structure and the disputes, that, in fact, as I understand it, JPAC and DPMO actually developed competing plans. Is that right?

General WINFIELD. Senator, based on information that we received from both of our predecessors, we know that to be true.

Senator AYOTTE. OK. So, here we have where we have already, as a Committee, said in 2010 that, clearly, a plan is needed, and now the Chair has already identified that this goes back 20 years where this very same issue has been raised, and you can understand why we hear this today with no deadline, thinking, when is something going to change, because if we do not receive the coordination and plan that has already been asked for 20 years ago, was asked for clearly in 2010, with no deadline for how this structure is going to change, and you both have competing plans as to who should be in charge and how it should work, this has just got to stop.

And I will join the Chair in this letter because I think Secretary Hagel has to focus on this, as well, and make sure that we receive as soon as possible what the new organizational structure will be of one that eliminates the squabbling, that eliminates the competing plans, makes a decision that is going to accomplish what all of us want to accomplish in bringing the remains home.

So, can you both tell me about these competing plans? Have the two of you communicated about these competing plans, and have you yet at your level as leaders—and, by the way, General, I know you have not been in this command long and you have adopted many of these issues, so you have a real opportunity, as well—all of you do—to set this right. But have the two of you gotten together on these competing plans and talk through what you think as leaders of DPMO and as JPAC what should happen?

General WINFIELD. Senator, a couple points. We talked about a timeline. There is one portion of the timeline that Dr. Miller has put in place. He set a 90-day limit on the response of the review. After the review is actually conducted, obviously, the final decisions would have to be made. I can, in fact—when you talk about competing plans, again, when we—I have been in the position a little over a year, and when we both assumed our positions—

Senator AYOTTE. So you are relatively new to this, too, as well.

General WINFIELD. Yes, I am. There is only one plan that was on the books, and that was a plan that requested resources. And of the two plans that you are referring to, the JPAC plan was the one that was agreed to.

So, when we talk about competing efforts, the first thing that I was directed to do and agreed with my boss, Dr. Miller, was, first, to bring the accounting community together. The second thing he asked me to do is increase transparency. The third was to support the GAO.

Immediately upon taking my position, we established a planning group. It was a joint planning group that had members of all of the accounting community, and their goal was to take a look at creating the capacity and capability of this plan which gets at the requirement that has been levied upon us. The requirement is to increase our capacity and capability by 2015 with a subsequent requirement to eventually be able to identify 200.

It is important to note that there is no immediate return on investment. If we are funded to increase our identifications, there is a long process. First of all, there is a lot of research and analysis that is conducted, followed by an extensive research or investigation of the specific area, the lost area. Then there is a recovery, and often times it might take more than one investigation, more than one recovery. And, finally, it goes to the lab for identification. So it takes time before there is a return.

Senator AYOTTE. And certainly, Mr. Winfield, I do not dispute that this process takes time in terms of the proper recovery of these remains. But I do not see, unless we get at the fundamental structural issues that the Chair has raised so that we are all working together instead of spending the time we are duplicating resources or not having clear chains of authority, how we could possibly reach the goal and most effectively do this on behalf of the American people.

Would you agree with me on that, that if the structural barriers are there, if people are not all working together in the best way, then how—obviously, no matter what time it takes in terms of the processes, then we are not going to be able to effectively achieve that. Would both of you agree with me on that?

General WINFIELD. We have done an extremely good job at unity of effort. We work together on a daily basis. I communicate with Major General McKeague every day.

Senator AYOTTE. Well, let me just get at a more fundamental question. Do you disagree that with the way things are right now, you have had these two competing, obviously, that came up through DPMO and JPAC to address the 2010 National Defense Authorization Act (NDAA). You have seen the organizational structure. Do you agree that things need to change in the organizational structure to make sure we get this right?

General WINFIELD. Senator, we agree with the recommendations that were made by the GAO that there is a need to take a look at our organizational structure.

Senator AYOTTE. So, just a look.

General WINFIELD. Again, it is important that the review is conducted, and CAPE is going to take a good look and a review and an assessment of our organizational structure.

Senator AYOTTE. See, here is what worries me. You have been looking and looking—

Senator McCASKILL. For 20 years.

Senator AYOTTE [continuing]. For 20 years, and it is just very evident—I thought the Chair’s point was well taken that the lines of authority here do not make clear authority, so that would be the most efficient way to drive the results, as identified in the GAO report and identified 20 years ago and, obviously, focused on in the 2010 NDAA, and I am sure many others that we did not pull up today.

So, we can keep looking and looking, but we need to go beyond looking. We need results, and that is why we are so concerned about driving a date on this of making sure that we get an outcome, of not just—I mean, I do not want to be here in the Defense Authorization asking the very same questions without some results, and I am sure neither of you do, either. So, that is what—when I hear “look,” it really raises flags for me.

And, General, I do not know if you have a comment. I know my time is up, but—

General McKEAGUE. Senator, if I could. The competing plans were back shortly after the NDAA was introduced and the goal was established. There were competing plans for resources. I can assure you that there are no competing plans today. We have an integrated plan. DASD Winfield took the lead on a capabilities and capacity plan for 2014. It included all of the partners. And I would also clarify that the cooperation and coordination between JPAC and DPMO, the two largest partners within the accounting community, has never been better. I have complete trust in DASD Winfield. As he said, we communicate almost daily. And I do not see competing plans in today’s construct.

Senator MCCASKILL. I just think it would be helpful if you had the same boss. I just think it is confusing, and I will just tell you that I know you guys are going to take a look at it, and I know it is very hard to make changes in the organization. Speaking from a lot of experience in the contracting field, we actually managed to get a contracting command opened because of the severe problem.

I think there are two ways to get this reorganized, you all doing it in the way you think is best or us doing it for you. And I can assure you that Senator Ayotte and I will do it for you if you cannot do it yourself, because we need to know who the boss is.

I do not know if you are at fault or you are at fault, and you do not even report to the same people. So your boss may be telling you “A” and your boss may be telling you “B,” and then you guys are down here trying to work it out. It just does not make sense.

Let me talk about some of the infighting within JPAC, General McKeague. Does CIL have operational responsibilities at all?

General McKEAGUE. Yes, ma’am. They are the identification operations arm of JPAC.

Senator MCCASKILL. So, both research and analysis and CIL have operational responsibilities?

General McKEAGUE. They both work for me, ma’am.

Senator MCCASKILL. OK.

General McKEAGUE. There are three mission sets within JPAC. There is the searching for, research, and analysis. There is the recovery, led by our investigations recovery teams. And then there is the identification part, led by the Central Identification Lab.

Senator MCCASKILL. Other than the personal attacks in Paul Cole's report, do you think his analysis of the dysfunction within JPAC is accurate?

General MCKEAGUE. Ma'am, I would say that we do have issues in terms of efficiencies. I think Dr. Cole was astute in pointing out that we needed to improve our procedures and efficiencies, and we have. And I would say that he also was very helpful to us in talking about the need to improve the production of leads.

Senator MCCASKILL. Were there parts of the report that you thought were inaccurate?

General MCKEAGUE. Ma'am, I would disagree with some. For instance, archival research was nonexistent. I would disagree with that. That we had a stagnated operations plan and that there were multiple visits to Southeast Asia sites that were not justified, those are just some of the things I would disagree with.

Senator MCCASKILL. We have heard, the Subcommittee—and I am going to talk about the whistleblowers, but we have also heard numerous complaints regarding CIL's management. After hearing from so many people with the same complaints, we kind of had to wonder if there really is a significant problem with the management at that part of your command. There are also apparently a very high number of discrimination and Equal Employment Opportunity (EEO) complaints that are pending. What is your take on that, General?

General MCKEAGUE. Ma'am, when I first arrived 10 months ago, I found that we were in desperate need of attention toward communication, collaboration, and coordination. There was disunity within the command. That has been my priority, to unify the command. It has been my priority to improve morale, and I believe that we have improved it. Are there squabbles between the approaches that both divisions take? Absolutely. But I think we can provide those in a professionally enhanced environment to be able to resolve those without bomb throwing and finger pointing.

Senator MCCASKILL. I want you, and we will have questions for the record, but I do want you to keep us posted on the progress of how you feel that you are solving the problems within your command, because it appears—as we began down this road, we assumed that the Cole report was being squashed because the Cole report was critical. Well, now as we have looked at it, part of it is that there was such wide disagreement within your command as to whether the Cole report was ginned up by Mr. Holland in order to try to make the other two parts of your command look bad, that this was all about promoting one part of your command at the expense of another part of your command because there was this squabbling going back and forth.

I hate it that we are getting into this level of micromanaging within your command, but this all floated to the surface when we began planning this hearing. I mean, we answer the phone and we listen, and it was shocking, the amount of input we were getting. I mean, frankly, on the whistleblower stuff, I mean, our phone just started ringing off the hook, and the complaints were both about DPMO and JPAC, both where you work, Mr. Winfield, and where you work, General McKeague. We are getting a lot of whistleblower complaints about retaliation about whistleblowing.

Would both of you address the large number of claims of retaliation within your offices.

General MCKEAGUE. Ma'am, if I could address the part of—you are asking for a commitment from me to keep you apprised. I can assure you that I will keep you apprised of the progress we make.

I will share with you—and Senator Ayotte, you may know this—our mutual friend, Bill Reddel, put me in touch with the Arbinger Institute. It is a management consulting firm that looks at responsibility, collaboration, and influence. Bill Reddel, who is the Adjutant General of New Hampshire, has adopted Arbinger principles. I brought Arbinger in look at this exact same problem because, again, it is something that I saw firsthand that we—all the most talented scientists in the world, the most astute researchers and historians in the world would be totally ineffective if there was no trust, if there was no acceptance of personal responsibility, and if this was just a matter of everybody blaming everybody else, and that has been my focus, to get at it, to improve the morale and the environment within JPAC.

Senator MCCASKILL. Well, I realize this is a little bit of pot calling the kettle black because we do way too much of that and try to make the other guy look bad around here rather than coming together and working together, so I realize that there are a lot of people watching this hearing who would go, "Well, they have a lot of nerve."

But, that aside, it is—you have a choice when you are a leader. You can either lead by making the other guy look bad and, therefore, you look better, or you can lead by giving the other guy credit and communicating and then everyone does better. And I think what you have had in JPAC is the former and not the latter and I know you know you have a ways to go.

General MCKEAGUE. Madam Chairman, I would agree with you, and I would also say that, just as you pointed out, we are all inextricably linked. The laboratory needs a functioning, effective research and analysis section just as much as research and analysis needs a fully functioning, effective laboratory. That is the irony, is everybody agrees that this is a passionate—this is a mission that they can be passionate about, and I share that passion. What they cannot agree is the approach on how to achieve and fulfill that passion.

Senator MCCASKILL. I am going to briefly go on to Oak Ridge Institute for Science and Education (ORISE) fellows and then I will save my numbers questions for the next round, but I want to, if you would allow me, Senator Ayotte, I am confused about the ORISE Fellows. We began looking at the Fellows and it appears to me—are you paying Oak Ridge or the Department of Energy (DOE) for these Fellows?

General MCKEAGUE. Ma'am, ORISE is an arm of the Department of Energy, so when we transfer our funding, it goes to the Department of Energy through ORISE.

Senator MCCASKILL. Are they making money off this?

General MCKEAGUE. ORISE?

Senator MCCASKILL. Yes. Is the Department of Energy making money off this?

General MCKEAGUE. Yes, ma'am. There is an 18 percent overhead.

Senator MCCASKILL. So——

General MCKEAGUE. Our annual payment to DOE through ORISE is \$3.5 million, of which 18 percent for fiscal year (FY) 2013 is overhead.

Senator MCCASKILL. So why do you not just do the Fellows directly and save the 18 percent?

General MCKEAGUE. Ma'am, I am not sure. This is a program that has started back in the 1940s. DOD is the largest recipient of ORISE Fellows. It is intended to advance the scientific enterprise. We use them with great results. We use them for projects and research in niche requirements within the laboratory.

Senator MCCASKILL. Why do we not just hire really good archaeologists and scientists? Why are we paying an 18 percent overhead to another Department of government?

General MCKEAGUE. Ma'am, it is actually a bargain from the standpoint that they do not receive a salary from us. They are actually——

Senator MCCASKILL. Who are they receiving a salary from?

General MCKEAGUE. They are actually paid a stipend, on average, about \$80,000.

Senator MCCASKILL. But, who is paying that? Is that the Department of Defense is paying that?

General MCKEAGUE. No, ma'am. I believe it is ORISE. We just transfer the funding. But the bottom line is——

Senator MCCASKILL. You mean the Department of Energy is paying it.

General MCKEAGUE. I am sorry, Department of Energy.

Senator MCCASKILL. Well, taxpayers are paying them.

General MCKEAGUE. Yes, ma'am.

Senator MCCASKILL. OK. We are going to take a close look at this. We are going to ask your cooperation for the record——

General MCKEAGUE. Yes, ma'am.

Senator MCCASKILL [continuing]. Because if it has been there since 1940 and there is an assumption you are getting a bargain, I do not like the idea that one Department of government is paying another Department of government an 18 percent hit on locating and hiring people who are doing work for the government. Just because it has always been done that way does not mean it is the right way to do it, and I need to see a cost-benefit analysis as to why we are getting value out of that 18 percent, because they are not working at the Department of Energy, right?

General MCKEAGUE. No, ma'am.

Senator MCCASKILL. They are working full time in Hawaii, right?

General MCKEAGUE. Yes, ma'am.

Senator MCCASKILL. How many of the Fellows have been extended past the 5-year deadline?

General MCKEAGUE. Ma'am, if I could take that for the record.

Senator MCCASKILL. OK.

General MCKEAGUE. We have currently 41 on our rolls right now.

Senator MCCASKILL. Yes.

General MCKEAGUE. And it provides a great recruiting and retention opportunity for us, as well, because in addition to the fact that we do not have them long-term, we can evaluate whether or not they would perform admirably as a full-time forensic anthropologist or archaeologist.

Senator McCASKILL. OK.

General MCKEAGUE. And their stipend is still significantly less than what we would be paying them as a civil servant.

Senator McCASKILL. OK. Well, that is what I want to get to the bottom of.

General MCKEAGUE. We will get you the information.

Senator McCASKILL. But you understand, when we start to look at it, I am going, wait. Well, what is this? And I know that they are supposed to have been graduating within 5 years, and Mr. Cole had not been in school in 20 years, and there were all kinds of issues about is this a way that you can get people hired that people know as opposed to getting the best and the brightest through this program. So I would appreciate those questions for the record.

Sorry, Senator Ayotte.

Senator AYOTTE. No, that is fine.

Getting back to the question that we had initially on the organizational structure and implementing the GAO's findings, I know that Dr. Miller is looking at this issue, and have you briefed Secretary Hagel on this issue, as well, because I do believe that this is an issue that needs a fire lit on it from the top to make sure that we are really driving this and we are not ending up in the same position. So I do not know if you have had an opportunity, General or Mr. Winfield, to brief the Secretary on this.

General WINFIELD. Senator, I obviously have weekly conversations with Dr. Miller, but I would have to take for the record any conversation that he may have had with the Secretary of Defense.

Senator AYOTTE. No, I am just trying to get at it, because we are going to—we will direct this up to the Secretary level and, obviously, talk to Dr. Miller, as well, because I do believe that this has to come also from the top to make sure that we resolve these issues.

I know that Senator McCaskill had asked you, General, about the internal Dr. Cole report, and one of the things that troubled me about it, I understand that there was a lot of internal dispute about the validity of it and why some of the criticisms were in it and did people have other motivations.

But your predecessor, Major General Tom, his response to that report was telling to me. It really stuck out for me, because he sent that memo saying it was hereby disavowed and rejected in its entirety, that I do not find any merit in any of the conclusions or recommendations, and that there would be no further copying or sharing of the report, and concluded by saying the command will not consider any allegations, findings, or recommendations from the report.

And I believe that Senator McCaskill had asked you about the report itself. Do you agree with that, that there is nothing valid in that report that we can take some lessons from, putting aside the motivation of it?

General MCKEAGUE. Senator, before I answer that question, Madam Chairman, if I could clarify. The ORISE program was actually in 1992. I misspoke with adding 50 years to that. But, by all means, we will get you the information that you require.

Senator MCCASKILL. Thank you.

General MCKEAGUE. Senator, toward your question, I believe that we have implemented recommendations from Dr. Cole's report. Three I would like to highlight which I think are bearing fruit for us is the fact that we established an Investigation Decision Board to review field investigations that would come forward—to review research that would come forward as to whether or not it should qualify for a field investigation.

We also reorganized the command and now we have most of our—not most, but all of our supporting deploying personnel under one division. They work investigations and recovery for the actual field missions.

And the last thing I think was a positive from Dr. Cole's report is that we implemented adding a scientist, either a forensic anthropologist or archaeologist, to every field investigation team that went out, to look at the site, to map the site. In addition, we have assigned a military leader to help with logistics.

So those are just three examples of things we have already implemented that were recommended within Dr. Cole's report.

Senator AYOTTE. Because that was a fairly defensive response of just saying, no, we are not going to consider anything in it. So I do appreciate that you have looked at it with the eye of how can we improve.

General MCKEAGUE. Absolutely.

Senator AYOTTE. The one issue that was raised in it that stuck out with me, as well, was this idea of military tourism. And, in fact, one of the examples in the report identified the—I have no doubts that in order to recover remains from World War II, that you have to travel to Italy and many other places in Europe. But one had highlighted an incident in which three JPAC teams spent five nights in a luxury hotel, superior hotel in Rome, that was more than \$500 a night. And when it was combined with the per diem to stay at this Hotel De La Minerve cost more than \$18,000 for taxpayers.

So, have you looked at that piece of it, too, as well, in terms of how taxpayer dollars are being used with the necessary travel that I do not dispute that JPAC needs to take in order to effectively recover remains?

General MCKEAGUE. Ma'am, I cannot speak to that specific incident. However, I will tell you that as part of Dr. Miller's review of the draft JPAC internal report, the DOD Inspector General will be looking at all allegations of fraud, waste, and abuse within that report.

Senator AYOTTE. OK.

General MCKEAGUE. Toward today, if I could fast forward, we have strict controls in place that prevent that from happening. Our operational planning function is led by our Director of Operations, a neutral party. They endeavor to have at least two operational planning teams that are made up of functional representatives from throughout the command to develop the mission set. There is

then a decision brief that goes in front of my deputy to look at country coordination, to look at fiscal responsibility, to look at all issues regarding permitting. And then it finally comes to me for a confirmation briefing.

So I believe, today, we have multiple levels of control whereby other aspects within JPAC, functional aspects, are involved in the decisionmaking process as to whether or not we are expending taxpayer dollars to advance a mission, whether it be an investigative one or a recovery one.

Senator AYOTTE. And is this process something you have put in place since you have come into this command?

General MCKEAGUE. No, ma'am. It was put in place by my predecessor and I have just increased it and improved it as we have gone along. It is a constant reevaluation, a self-assessment. We have after-action reports after the teams come back. We determine, what did we miss in the operational planning function, and we then adjust.

Senator AYOTTE. Well—

General MCKEAGUE. It is a continuous improvement process.

Senator AYOTTE. And I hope that you will review the examples, the one that I just identified and others in there, to do an after-action report to make sure that taxpayer dollars were being used responsibly so that any corrections can be made that those types of things do not happen again.

And I wanted to also ask, with regard to resourcing for what you have received with regard to JPAC. As I see it—and also with DPMO—certainly, you have seen some pretty significant increases. In fact, if you—let us put aside, obviously, where we are now with sequestration. But if you look from 2008 to 2012, for DPMO, it has been about a 26 percent increase. For JPAC, from 2008 to 2012, it has been a 93 percent increase. And I think that reflects the commitment that Congress has to wanting to make sure that there are adequate resources for the recovery efforts here.

But then if I look at the numbers of remains that are recovered, there is not a reflection of the increase in resource. As I look at the numbers of remains recovered by 2008 and 2012, it ranges from 62, 71, 74, 94, and 82. But there really does not seem to be the consistent increase in that piece of it along with the increase in resources.

So, I think this resource issue of what you need for resources—I know that my time is up and I know that the Chair was going to ask about this, but I would like to get your perspective on, with the additional resources we have invested in this, how come we have not already seen—is it as a result of some of the issues identified in the GAO report, seeing better results, and what are we going to need going forward? So, I know that is a broad question and I know the Chair will probably have a number of questions in this area, but I think it is important that we get at these fiscal issues.

General MCKEAGUE. Ma'am, our baseline budget in 2012, when the additional resources were added, was \$71 million. Today, in fiscal year 2013, it is \$89 million, and there was additional growth built in through the appropriation from Congress as endorsed by the Department where, over a 5-year plan, we were going to be

added 253 personnel as well as \$314 million additional dollars to our program. That has hit a speed bump because of the fiscal environment we face, but we are confident that with the balance between smaller resources as well as what we need to do and how we need to optimize our efficiencies and effectiveness, that we will be able to do so.

Senator MCCASKILL. So, you are saying that, essentially, you have not seen a huge increase in resources?

General MCKEAGUE. Madam Chairman, DASD Winfield alluded to this earlier in his remarks. There is a lapse time, a lead time between, A, training the people before they go out. The average forensic anthropologist needs anywhere from 9 to 12 months before they can go on a field mission. So there is a lead time for that. There is a lead time for the research and analysis. There is a lead time for the recovery. And then, obviously, once the remains come into the laboratory, it can range anywhere from several weeks to, in many cases, decades—in some cases, years or decades. Last month, we just identified a set of remains that were returned to us in the early 1990s from North Korea.

Senator MCCASKILL. Let me ask you this. Do you feel confident, both Mr. Winfield and General McKeague, that you are going to be able to identify significantly more remains in the coming 2 to 3 years? I mean, will you get above 100? Will you get to 200? Do you believe you can do that?

General MCKEAGUE. Ma'am, I think a realistic goal for us, which would be attainable, would be a 10-percent per year increase. If we were to do that, we could be at 125 identifications within 5 years. I believe that is a realistic goal. I believe we will have the resources, even with this fiscal environment, by which to achieve that.

Senator MCCASKILL. Mr. Winfield.

General WINFIELD. Madam Chairman, in order to make an identification, numerous members of the accounting community will have to contribute to that particular effort. We have made several strides that will allow us to increase our effectiveness and efficiency to identify more individuals.

For example, our Armed Forces DNA Identification Laboratory (AFDIL), have increased their technology where they need smaller portions of remains in order to make a DNA match. When we go talk about our Service Captured Officers (SCOs), they have made improvements on how we look for the family members in order to get the family reference samples.

In our organization, you mention an increase. In 2010, we formally were given World War II as a portfolio. That is where the increase began. That is where we added some personnel. And, again, we will begin seeing and reaping the benefits of that very soon. But it is impossible to put an exact timeline on that.

So, I think there are a lot of things moving in the right direction to ensure that we are working toward our goal as efficiently and as effectively as we possibly can.

Senator MCCASKILL. I think you all understand, in this environment, if Congress does not start seeing an increase in the numbers of remains identified, that the money will go away. It just is too hard to find the resources for what we need to be doing in the Fed-

eral Government that we would substantially increase resources for a given problem that does not result in more productivity.

Let us talk about the reasonableness of the numbers and how honest and open we are being. This is difficult, because no one wants to give up on anyone, and we feel very strongly about that as a Nation. I know the current number is 83,000, and my understanding is 80 percent of that, 73,000, is World War II. And it is my understanding from preparing for this hearing that you all have estimated that as many as 58,000 may not be recoverable with current technologies, and 40,000 were lost over deep water and will never be recoverable.

Do you believe I have stated those numbers in an honest and forthright way?

General WINFIELD. Madam Chairman, several groups have attempted to determine exactly how many of our missing or unknowns are going to be reasonably recovered. What is important to note is that we have a requirement from Congress to create a case file on each of our missing from World War II. We have been working on that. We have about 20,000 at this point and we are going to continue to work that. Once we have a case file on each individual, we will be able to make a good assessment on how many of those will be recoverable, if you will. So the analysis will be done and we will be able to give you a very accurate figure in the near future.

Senator MCCASKILL. Well, is the number correct, that approximately 40,000 were lost over deep water?

General WINFIELD. To the best of my knowledge, that is correct.

Senator MCCASKILL. And do we know who those 40,000 are?

General WINFIELD. We do have names. We have a list of everyone that was missing from World War II.

Senator MCCASKILL. And do we know which of those individuals were lost over deep water?

General WINFIELD. We do, indeed.

Senator MCCASKILL. And have we been, do you believe, honest and forthright with the families about the chance of recovering those remains, the 40,000 deep water?

General WINFIELD. We have not released specific names. That is one of the recommendations from the GAO, is to create that case file and then prioritize the list based on the probability of being able to recover those remains.

Senator MCCASKILL. Why do you think that we have been as reluctant as it appears we have been to be reasonable and honest with these families? What favor are we doing them? If we know the names and we know it was over deep water and we know they are not recoverable, why would we not rush to be honest and forthright with these families?

General WINFIELD. Ma'am, I had the exact same question when I assumed this position, and as I started researching it, what I was told was there are a lot of families still holding out hope. I mean, we say that they were in a ship, if you will, and the ship went down. There are families who believe that there may be inaccuracies on who physically was on the ship, if you will, and there has been a reluctance to tell the families that there is no hope that we

are going to find your loved one or be able to bring the remains back home.

I will tell you that one of my agendas is to——

Senator MCCASKILL. It seems cruel to me. That just seems cruel to me——

General WINFIELD. And, Madam Chairman——

Senator MCCASKILL. And I do not think that the POW/MIA community is unwilling to receive the factual information that you have to the best of your ability. I mean, at some point in time, is it more cruel to not be honest and forthright that the chances of recovering half of the number that you have all been tasked with is somewhere close to none from slim? I disagree that you are doing these families a favor by not being honest and forthright about it.

General WINFIELD. Madam Chairman, I agree with you totally——

Senator MCCASKILL. Then who is keeping you from doing it, us?

General WINFIELD. No, ma'am. What we have to do is validate the information that was provided by the Army Graves Registration Service and other services. Once we make that validation, we are certainly more than willing to provide that information to the families. What we do not want to do is to say there is hope and then return a year or two later and say, no, there is no hope. So what we want to do is to be accurate in our assessment, and that is what we are going to do. That is one of my main objectives, is to do just what you have described. Once we do the analysis, once we have collected the information——

Senator MCCASKILL. So you say you are going to wait until you have done all of them before you tell any families?

General WINFIELD. Absolutely not, ma'am. As soon as we get the information on these—as we start working the case files, we are going to be in a position to be able to give families information about their loved one.

Senator MCCASKILL. And when will that begin?

General WINFIELD. We have already started the process of accumulating the information. The charter that was given to us by Congress is to collect all the information that we have on each of our missing from World War II. The baseline for that, and we are looking at all of the files from those that were lost and now we are bringing all of that information together. As we do the assessment of that, we are going to start providing the information to the families.

Senator MCCASKILL. Senator McCain and I have discussed this, and I am going to meet with him when we return in September to talk about this, but I feel a sense of urgency about getting accurate information to these families as quickly as possible and I have a feeling that sometimes the bureaucratic need to finish a task, combined with pressure from Congress, has inadvertently put way too many families in a cruel limbo when we could fix that in short order.

And I am going to try to help with that, to whatever extent I can, because you have a lot of work to do that needs to be done. If we know that there is work that is impossible to do, the sooner that we deal with that, the better.

General WINFIELD. And, Madam Chairman, we are working toward that end. We do just that for the Southeast Asia Conflict or the Vietnam War. We have categorized them. We are in the process of doing the same thing for the Korean War. It is just a matter of getting to it, and again, as I mentioned earlier, it was 2010, NDAA 2010, that formally added World War II to our portfolio. So, we are behind. The most mature of our efforts, of course, is Vietnam. This is where it all started.

Senator McCASKILL. Yes. OK. Senator Ayotte.

Senator AYOTTE. So, right now, in terms of family members, how do they receive information on someone that they have lost? Do they have to contact you? Do you contact them? How does that happen right now?

General WINFIELD. Yes. There is a procedure. Again, this is an accounting community effort in pretty much the entire process. The communications is done by the Service Casualty Officers. We will pass the information to them and they will make the presentation to the families. If they have questions, the families have questions, information will be passed through the Service Casualty Officers and passed to us. We do the research, and back and forth is the way that works.

Senator AYOTTE. And I would totally agree with what Senator McCaskill said about—I think that families should get whatever information that you have, because they deserve this. And when you think about particularly our World War II veterans, I know it was just added to your statutory duties in 2010, but so many of them, obviously now, if you think about the family members, the spouses, we are getting to a point where we are losing so many of them. And I am sure that the urgency of providing this information to their families becomes even greater so that they can know and, obviously, just know whatever we know.

I am really blessed because my Grandfather is a World War II veteran. He is 97 years old. He is still with us. So I think about so many of them are not going to be with us, and I am sure their widows, as well. So there is an urgency to this, and whatever we know, they should know.

I also wanted to followup on this issue that, General, you had clarified and said originally, as a result of the 2010 NDAA as identified in the GAO report, there came up two different plans, one from DPMO, one from JPAC, and now you have settled on the JPAC plan and you are on the same page, as I understand it. But we have not received anything yet, have we, to my knowledge? Because I thought, ultimately, we were going to get that report.

General WINFIELD. Senator, we did not agree to the JPAC plan. Again, the requirement was to create a comprehensive, coordinated, integrated, fully funded program——

Senator AYOTTE. Right.

General WINFIELD [continuing]. And the JPAC plan and the plan that was being forwarded by DPMO did not include all of those elements. Since we both——

Senator AYOTTE. So we are not there yet?

General WINFIELD. Well, we have created a plan. It is our Capacity and Capabilities Plan. That is being formally coordinated within

DOD as we speak. Once that coordination is complete, then we will be able to release it.

Senator AYOTTE. So, when will we receive it?

General WINFIELD. I cannot put a time limit on how long it takes to get through all the coordination.

Senator MCCASKILL. What does that mean? What coordination?

Senator AYOTTE. Yes, exactly. I do not know what coordination—

General WINFIELD. Yes. Any time we produce a product, it has to go through coordination with the different services, the Joint Staff, GCM, it goes—yes, ma'am, that is pretty much accurate. [Laughter.]

Senator MCCASKILL. You are killing me here.

Senator AYOTTE. OK. So we need answers and we need leadership on this, and here is the opportunity. When I see both of you, General, Mr. Winfield, you have been in your positions for about a year—10 months, this is your opportunity. You have great challenges, but it is your leadership opportunity to get this right, and we want to see it, and we want to see it soon. So we are going to be following up on this with Dr. Miller and the Secretary because it is not clear to me, because, ultimately, I mean, it was the Congress who asked you for the report so that we can get this right, finally. So that is where our frustration comes from, as you can imagine.

General WINFIELD. And, Senator, it is important to note that the agreement was that we would nest the JPAC plan that was accepted and funded into the coordinated plan, and we did exactly that. And I think General McKeague would agree that we did not lose any elements of his plan—

Senator AYOTTE. Whoever is holding the plan right now, produce it.

General WINFIELD. Yes, ma'am.

Senator AYOTTE. Up the chain of command. Keep going. Get it to us.

Senator MCCASKILL. Wherever it is “nesting,” we want it hatched.

Senator AYOTTE. Yes. No more nesting. No more coordination, whatever. Let us see it.

And I wanted to followup, Mr. Winfield, while you are here, just to ask you about Sergeant Bowe Bergdahl. As you know, he was captured by the Taliban in June 2009. I know it is, obviously, for his family, a very difficult and troubling and horrible situation, and just wanted to see where things were and what the Defense Department's efforts were there. I know it is very challenging.

General WINFIELD. Senator, again, Sergeant Bowe Bergdahl has our—the Department of Defense's highest priority and we are working diligently. What we were working on for the last year is to ensure that there is a whole of government approach to trying to bring Sergeant Bergdahl home—

Senator AYOTTE. Right, along with the State Department and—

General WINFIELD. Yes, ma'am, and that—

Senator AYOTTE [continuing]. DOD, and I understand.

General WINFIELD. Yes, ma'am, and that is happening now.

Senator AYOTTE. OK.

General WINFIELD. So, the effort is there, the focus is there, and we have the right people working to try to find information and to bring Bowe Bergdahl home to his mother and father.

Senator AYOTTE. I just wanted to raise Sergeant Bergdahl in today's hearing so that people understand that he is very much on our mind—

General WINFIELD. Yes, ma'am.

Senator AYOTTE. and from the highest levels of government, so thank you.

Senator McCASKILL. I think the most important thing to remember is when you all go back to your jobs and you have one of those moments where something is supposed to go through a process, and that term "coordination," which really means "lost in a deep black hole at the Pentagon," when you are having those days that it has gone somewhere for somebody else's eyes and it is supposed to be back, I just want you to hear my voice ringing in your head. Get it frickin' done.

I mean, we are not going to be patient about this. This has been a problem for 20 years. And we want the plan. We want the reorganization of this effort so there are not so many cooks in the kitchen that are in charge, but there is one chef that we can blame. If the numbers are not there, if—and, by the way, it is going to help you get the resources you need, and when you speak with one unified voice, it makes your job so much easier.

Senator AYOTTE. Please, hear my voice, too—

Senator McCASKILL. Yes. I mean—

Senator AYOTTE [continuing]. Because our voices will be together on this.

Senator McCASKILL. This is going to be ridiculously hard for you, because we are like a dog with a bone on this stuff. So, you had better get used to this room because you are going to be back here a lot if we do not get dates and we do not get plans and we do not get something that does not look like a professor's test on organizational ability, how you do not do it. I mean, this would be a business class—this would be a case study of how you make sure that you do not get results and accountability.

And then, briefly, before we close here, I want to just ask about the JPAC lab in Nebraska. What purpose is this lab serving and how much does it cost?

General MCKEAGUE. Ma'am, we just opened the laboratory at Offutt Air Force Base, Nebraska, in June of this year. It provides us the additional capacity and capability that was identified within the congressional mandate. It cost us a little over \$5.2 million. We ended up revitalizing and reusing an existing facility on the base, and that laboratory annex is up and running as of June 1.

Senator McCASKILL. And are they performing identifications?

General MCKEAGUE. Ma'am, they have their first case. It is a case from Vietnam. It is a case of 10 disinternments from the cemetery in your home State and they are working on that case right now.

Senator McCASKILL. Well, that is terrific, and I wanted to make sure that they were up and running. And I actually will tell you—I will leave on a positive note—\$5.2 million sounds like a reason-

able number in the grand scheme of numbers that I look at constantly at the Department of Defense.

General MCKEAGUE. Yes, ma'am. It was a renovation of an existing facility, and, again, it provides us a state-of-the-art facility. I will caveat it that, because of the hiring freeze, we only have 14 of the 49 laboratory personnel in the building. But we are working with United States Pacific Command and DOD on that hiring issue.

Senator MCCASKILL. That is great.

Any other questions from you, Senator Ayotte?

Senator AYOTTE. No. I may have some questions for the record. But as the Chair said, we will meet again, so thank you all for being here and——

Senator MCCASKILL. And I know you all are really trying. I mean, our job is to do oversight. Our job is to hold your feet to the fire. Our job is to make you accountable, and we are going to do that. I understand that you do have a sacred mission. I understand that you are dedicated public servants, and we do not diminish that service in any way. But we want to get this fixed so that our successors years from now are not saying, well, why were these Senators so lame? They could not get it done when they tried——

Senator AYOTTE. Right.

Senator MCCASKILL [continuing]. Back in 2013. Thank you all very much.

Senator AYOTTE. Thank you, and thank you. I think you have great leadership opportunities here, as well, and your service records will bring—we thank you for your distinguished service records to be the right leader needed at the right time to get this right for the American people, so thank you.

Senator MCCASKILL. Thank you. The hearing is adjourned.

[Whereupon, at 11:54 a.m., the Subcommittee was adjourned.]

A P P E N D I X

As Prepared for Delivery

OPENING STATEMENT FOR POW/MIA HEARING

Thank you Madam Chair. General McKeague, Secretary Winfield, and Dr. Goines, thank you for your service to our country and thank you for appearing before this panel today.

As you know, the Soldier's Creed includes the following words: "I will never leave a fallen comrade." These words that are memorized by our soldiers are just as true for our nation. Coming from a military family and as a member of the Senate Armed Services Committee, I am determined to make sure that our nation does not waver from this vow.

That's why today's hearing is so important. We have a solemn duty to recover the remains of our service members who made the ultimate sacrifice in distant battlefields to preserve our freedoms and way of life. They have earned our enduring gratitude and stand as a lasting model of patriotism and courage for us all, and their

sacrifice has directly contributed to the freedom and safety we enjoy today. That is why it is important that we live up to the words on the POW-MIA flag: “You are not forgotten.”

According to the Defense Prisoner of War and Missing Personnel Office (DPMO), we cannot account for over 73,000 Americans who served in WWII, 8,000 in the Korean War, 125 in the Cold War, and over 1,600 in the Vietnam War. There have been 37 American POWs since 1973, and all have been returned except one, Sergeant Bowe Bergdahl. In my home state of New Hampshire, we are still waiting to learn the fate of six service members from the Vietnam War and 43 from the Korean War who remain unaccounted for.

We entrust the Joint POW/MIA Accounting Command to work on behalf of the American people to fulfill our moral obligation to find and bring home the remains of American heroes who served overseas. In light of the great trust we place in you, I am

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deeply disturbed by the findings of the internal review and the GAO report. Our fallen heroes deserve better, and the American people expect better. These reports raise serious questions that I hope you can answer for us today.

Thank you again for your service, and I look forward to hearing your testimony.

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COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

STATEMENT FOR THE RECORD OF
MAJOR GENERAL KELLY MCKEAGUE
COMMANDER, JOINT POW/MIA ACCOUNTING COMMAND
BEFORE THE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
SUBCOMMITTEE ON FINANCE AND CONTRACTING OVERSIGHT

August 1, 2013

NOT FOR PUBLICATION UNTIL
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COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

Introduction

Madam Chairman, Ranking Member Johnson, and distinguished members of the Subcommittee, it is a privilege to appear before you today. When I took Command of the Joint POW/MIA Accounting Command (JPAC), almost ten months ago, I realized that JPAC could be operating more efficiently and effectively. Since then, my staff and I, in concert with DASD Winfield and all our partners in the personnel accounting community, have worked hard to improve how we account for our missing personnel from past conflicts. I am pleased to address and highlight with you some of the improvements and challenges of JPAC.

As JPAC's Commander I have the honor to lead over 239 joint service members, 265 civil service civilians, 41 Oak Ridge Institute for Science and Education (ORISE)¹ fellows and 4 contractors. They are all talented and dedicated to bringing home America's missing from our nation's past conflicts, and in doing so providing answers for families who have waited decades for information on their loved ones.

Our mission is global in scope, and with investigations marked by painstaking research, recoveries challenged by inhospitable environments, as well as a remarkable scientific enterprise. As responsible stewards of federal funding, we are continuously seeking efficiencies and optimizing cost-effectiveness.

The weight of our sacred obligation is no better captured than in a remark a sister of an Army helicopter pilot missing in Vietnam said to me after this past June's National

¹ ORISE is a U.S. Department of Energy institute dedicated to strengthening our nation's research and development enterprise through education and research participation programs; they also educate the next generation of scientists. JPAC and its predecessor CILHI have benefited from the ORISE program since 1999. JPAC currently has anthropologists from Canada, Germany, the Netherlands, France, Hungary, Cyprus, Japan, and South Korea working as ORISE fellows to help recover and identify unaccounted-for Americans from past conflicts.

League of POW/MIA Families Annual Meeting. "The vast majority of the families who are involved have tremendous trust in your mission and in those who work our cases." The fulfillment we at JPAC receive in accomplishing our mission is unmatched. The fulfillment of our mission is unmatched. To experience the fervent interest and staunch support of the leadership and members of the Veterans of Foreign Wars at their national convention last week was both humbling and inspiring.

JPAC Today

To enhance command and control, streamline processes and procedures, and provide the fullest possible accounting for our missing from past conflicts, JPAC was established in October 2003 by the merger of the U.S. Army Central Identification Laboratory-Hawaii (CILHI) and the U.S. Pacific Command's (PACOM) Joint Task Force-Full Accounting (JTF-FA). In Fiscal Year (FY) 2010, Congress established an "ACCOUNTING FOR GOAL...to increase significantly the capability and capacity" to account for at least 200 missing persons annually beginning in FY 2015. The Department provided resources to achieve the goal of increasing our capacity and capability. Towards this goal, JPAC has endeavored to provide equitable treatment and application of our resources across all conflicts -- World War II, the Korean War, the Vietnam War, the Cold War and the Persian Gulf War.

JPAC's three primary missions consist of searching for, recovering and identifying the remains of missing Americans from our past conflicts. Historians and analysts conduct both archival and field research. Recovery teams are comprised of civilian scientists and technicians as well as military specialists, most of whom are

combat veterans. JPAC's² scientists comprise some of the world's best forensic anthropologists.

In addition to our fielding the optimal mix of these missions, much of my focus over the past ten months has been on improving communication, coordination, and collaboration both within the command and with our external partners; ensuring JPAC is structured to effectively and efficiently accomplish our mission; establishing processes which will sustain and improve the organization and mission into the future; and providing a quality work environment. There are some specific efforts we have undertaken to improve capabilities to account for Americans from our nations past conflicts.

Capabilities Improvements

JPAC maintains a very high operational tempo (OPTEMPO) consisting of on average 68³, 45-day research, investigation, and excavation missions per year and individuals deploying approximately 160 days per person annually. We have conducted 80 missions in FY2013⁴, an increase of 18 percent from our average. While maintaining this high mission OPTEMPO, JPAC identifies on average 77⁵ fallen heroes per year, providing long awaited answers to families, fellow Veterans, and the American people. Although JPAC is a Direct Reporting Unit of the U.S. Pacific Command, we have a world-wide mission, deploying teams to more than 22 countries in the past year. We

² The CIL is the only skeletal identification laboratory to be accredited by the American Society of Crime Laboratory Directors -- Laboratory Accreditation Board, a distinction achieved in 2003, and most recently renewed, this past April. In 2008, it was also the first DoD forensic laboratory to be accredited to the International Standard (certificate ISO 17025).

³ FY2007-2012 average.

⁴ As of 26 July 2013; includes, investigation and recovery team missions and field/joint forensic reviews.

⁵ This is a FY2008-2012 running average per FY.

have long-standing partnerships with the Kingdom of Cambodia, the Lao People's Democratic Republic, and the Socialist Republic of Vietnam accomplishing a total of 36 Vietnam War-related missions in FY2013.

Unquestionably, there are areas within JPAC that offer opportunities for improvement. We make consistent efforts to identify and address these areas. Given the complexities of our worldwide mission, we regularly evaluate our processes and procedures so as to improve our efficiencies and performance. As a result of this self-evaluation, we identified internal areas which, with reorganization, have provided improved functional alignment and efficiencies.

In October 2012, JPAC reorganized internally to create efficiencies to better align functions, and delineate roles and responsibilities. This has improved interaction within JPAC and our work with the Defense Prisoner of War/Missing Personnel Office (DPMO). Realizing the need for streamlined command and control, logistics planning, communication and synergy among all deploying support personnel, a major aspect of the reorganization was combining the primary sections which comprise the typical Investigation Team and Recovery Team into a single division.

We modified the structure of our Investigation Teams to improve their efficiencies and effectiveness. This consisted of two key functions: a Recovery Leader⁶ to provide site assessment and mapping capabilities, and a military Team Leader to provide logistics capability similar to what we historically have had on our Recovery Teams.

⁶ A Recovery Leader is a civilian scientist, either Anthropologist or Archeologist from JPAC's Central Identification Laboratory who leads efforts associated with the specific site once the Investigation Leader has pinpointed the area where the incident occurred.

These two additions, along with the Investigation Leader⁷, form the nucleus of our investigative efforts.

Additionally, JPAC instituted an Investigation Decision Board, which provides greater command oversight and ensures cross-functional coordination for all investigation missions. Since FY 2010, using this process, more than 40 sites have been added to our excavation list from our investigations in Europe, which will enable recovery missions in countries such as Austria, Belgium, Croatia, Germany, the Netherlands, and Poland.

JPAC also instituted innovative concepts in the area of field investigation. Earlier this year, after a seven-year hiatus of operations in Burma, we established a formal outreach program to reach local citizens who may have information related to a U.S. loss incident from World War II. In less than two months, we received more than 1,000 calls, which preliminarily appear to comprise at least 350 solid analytical leads. This program was only possible with the cooperation of the Burmese government and has been so successful that we hope to expand the program in 2014 to be operational 24 hours per day, 7 days per week.

Every country is unique and what works well in one country does not necessarily translate to another. Using lessons learned from the early years of our Vietnam War accounting, in more remote areas such as the jungles of Papua New Guinea, where communications are more austere, we are developing a program to hire local Papuans to engage the villagers so as to learn about loss incidents, photograph aircraft wreckage, and take GPS coordinates of potential sites. They have greater access and

⁷ An Investigation Leader is a civilian historian who leads the investigative effort.

can move about the countryside better than our JPAC teams. We provide training and oversight for these initial investigative efforts and by analyzing the information they provide, at a much reduced cost, we can better determine where to focus JPAC's resources.

Recent innovations in technology have resulted in scientific advances which have accelerated our Korean War identifications. These innovative methodologies, developed by JPAC's scientific staff, are a direct result of collaboration with academic institutions and civilian laboratories to capitalize on forensic solutions to identify unknown remains where traditional DNA methods are not possible and conventional scientific principles cannot be applied. Radiographic comparisons and an image recognition program are two such examples, and the first innovation has enabled us in the last two years to identify 25 Korean War servicemen buried as Unknowns at the National Memorial Cemetery of the Pacific.

Our investigative process has also incorporated technology improvements. We use the Geographic Information Systems (GIS) to create geospatial analyses of Tarawa and Papua New Guinea to overlay historical imagery, maps, and information with current field activities to improve our accuracy in locating sites for field investigation.

JPAC contracted with a private U.S. firm to conduct research on the November 1943 Battle of Huertgen Forest where thirty-seven servicemen from the 112th Infantry Regiment remain missing. The goal of this project is to provide an archaeological survey proposal to narrow the scope of the battlefield to enable targeted field investigation efforts. It also provides a pilot to learn from for future contracts.

Capacity Improvements

To improve our coordination with U.S. European Command (EUCOM), JPAC established a Liaison Office in EUCOM to better coordinate activities such as complex issues of permitting and logistics arrangements in advance of arrival by our Investigation and Recovery Teams and provides a direct interface with the range of U.S. and foreign agencies.

Although operations in DPRK remain suspended due to the safety and security of U.S. teams and North Korean behavior, we established and have sustained a forward element in Seoul to conduct continuous investigation operations in South Korea, seeking answers on the more than 800 unaccounted-for personnel within and south of the demilitarized zone. This specialized investigation team works directly with our South Korean counterpart organization, leveraging their extensive in-country expertise and streamlining our resource requirements.

JPAC is fortunate to have third-party researchers, professional and amateur historians, and citizens around the world who are interested in assisting with the U.S. accounting mission. We leverage these non-government (NGO) entities to the maximum extent possible. Last fall we led a "no-host" NGO conference providing a forum to establish a working relationship with these various private groups and promote an exchange of information.

JPAC opened a laboratory annex at Offutt Air Force Base, Nebraska; renovations⁸ were completed on 1 June 2013. The annex provides office and forensic

⁸ The JCA facility was a recapitalization of a vacated space within a large facility on Offutt AFB.

laboratory analysis space. This state-of-the-art facility will allow greater ability to examine larger and more complex cases.

Additionally, our new headquarters building under construction in Hawaii is approximately 60% complete. This facility will include staff and operations offices and a forensic laboratory, greatly improving JPAC's capacity and capability.

Planning Efforts and Challenges

Like other military operations, execution of JPAC mission activities involves an extensive planning process which requires a long lead-time, affected by other governments' policies; geographic and weather conditions; local permitting; and availability of supplies, transportation, and services in remote regions of the world. Much of my job requires working with foreign governments to maintain access and build partnerships. Weather conditions present significant challenges and in some regions limit when we can conduct operations. Increasingly, we find mission costs on the rise. Other factors affecting the mission planning process include underwater and high altitude sites, both requiring highly specialized skills and external support from other DoD organizations. The process and procedure improvements noted above enable JPAC to meet these challenges in a coordinated and fiscally responsible way.

A key challenge to identifying missing personnel is obtaining sufficient forensic evidence and materials by which to make the identification. Evidence is obtained through multiple means (unilateral turnovers, third parties, investigation and recovery operations, disinterment, etc.). Researching and investigating cases to determine location of loss for subsequent recovery operations is currently the primary alternative to unilateral/third party turnovers. Given the difficulty of finding these sites, which is

compounded by the global scale and the passage of time, JPAC works with DPMO and others to narrow leads as much as possible before an investigation team goes to a potential site. The DASD and I focus a lot of our attention in this area. We optimize our resources to address these complex challenges to accomplish our mission.

Fiscal Impacts

While we are pleased with these improvements and will continue the process of self-assessment and correction as necessary, we face challenges in the future as a result of the Budget Control Act and sequestration, and the civilian hiring freeze and furloughs. JPAC is working to sustain our tasks with fewer resources and to balance requirements to meet mission objectives.

Key to fulfilling our commitments made to foreign governments who assist with our accounting mission is timely availability of funds. We are heavily reliant on such things as contracted helicopter and logistical support, both of which require funding in advance of the mission and the uncertainty of funding availability adversely impacts all contracting efforts and jeopardizes mission schedules. Our deployments are also dependent on key military specialties like medical and explosive ordnance disposal. These individual augmentee requirements -- 450 this coming FY -- have been superbly supported by PACOM and its Service components, but they, too, are having to make fiscal and operational trade-offs.

In addition, JPAC has been severely affected by the civilian personnel hiring freeze. The loss of temporary or "term limited" employees and hiring freeze hits the scientific staff particularly hard. I continue to work with PACOM and others to find solutions to the hiring problem.

The civilian furlough has hindered research efforts, coordination with foreign governments, operational planning, and mission execution. More than half of the JPAC staff is civilian, and all are subject to furlough. Consequently, we lose the equivalent of 265 days of productivity each week the furlough is in place. We cannot sustain our historical OPTEMPO under such a restraint.

Conclusion

Although we face significant challenges today and into the future due to the current fiscal climate, with the dedicated professionals at JPAC, I am confident we will continue to overcome the challenges, and while we may no longer have the flexibility to respond as rapidly as we would like, we will not waver in our commitment to the families of our missing heroes, our Veterans, the American people – a moral obligation to seek the fullest possible accounting of those who lost their lives in service to this great nation.

Madam Chairman and members of the Subcommittee, thank you again for this opportunity to appear before you, and more importantly, for your support of this noble and critical mission which defines us as a nation. Prominently on a wall in JPAC's headquarters is President Calvin Coolidge's sage advice, "The Nation which forgets its defenders will be itself forgotten." The dedicated and talented professionals of JPAC endeavor to see that this never happens.

I welcome the questions you might have.

**** EMBARGOED UNTIL DELIVERY ****

Statement of
W Montague Winfield
Deputy Assistant Secretary of Defense
for
POW/Missing Personnel Affairs

Subcommittee on Financial Contracting and Oversight
Committee on Homeland Security and Governmental Affairs
United States Senate
August 1, 2013
Washington, DC

Chairman McCaskill, Senator Johnson, distinguished members of the subcommittee, thank you for this opportunity to speak about what the Department of Defense is doing to improve the Department's efforts to achieve the fullest possible accounting for our missing DoD personnel and provide answers to their families. I look forward to discussing the responsibilities of the various members of the Department's accounting community, as well as the specific collaboration between the Defense Prisoner of War Missing Personnel Office (DPMO) and the Joint Prisoner of War, Missing in Action Accounting Command (JPAC).

Based on my experience as the first commander of JPAC, I came to my current position well aware of the challenges I would be confronting. I knew that the Department's personnel accounting community suffered from organizational and structural weaknesses, which have been cited in other reports and studies. Many of these structural flaws relate to the primary problem recently identified by the U.S. Government Accountability Office (GAO). Specifically, it noted, and I quote: "With each accounting community organization reporting under a different line of authority . . . no single entity has overarching responsibility for community-wide personnel and resources -- important levers for providing the capacity to reach DoD's accounting-for goal. As a result, no single entity can implement or enforce decisions without obtaining widespread consensus."

Over the past year, Major General McKeague, Mr. Goines, and I, along with others in the personnel accounting community, have made significant strides in improving our unity of effort. But this is an issue that clearly needs further work. Recognizing that improvement was needed in a number of areas, I encouraged all members of the personnel accounting community to cooperate fully with the GAO. I have embraced the GAO's report. As I strongly recommended, the Department has begun the process of implementing all nine of the GAO's recommendations.

Some of the issues raised in the internal draft JPAC Efficiency Report may require additional attention and investigation. In fact, last week the Under Secretary of Defense for Policy requested that the DoD Inspector General initiate an immediate investigation into the allegations of fraud, waste, and abuse. Additionally, the Under Secretary requested that the Director, Cost Assessment and Program Evaluation (CAPE) undertake a review of the organizational structure the Department employs to accomplish this critical mission and to coordinate their efforts with the IG to avoid any duplication of effort. Fortunately, the GAO has helped us identify, in a thorough and objective manner, what the Department needs to do to improve our performance of the sacred mission of accounting for our missing personnel.

I would like to describe recent and upcoming activities regarding missing personnel. Last week, our Nation commemorated the 60th Anniversary of the Korean War Armistice at Arlington Cemetery, where the President took the opportunity to recognize the family of a missing serviceman whose remains had just been identified. Next week, I will be hosting the Department's annual meeting for family members of American service members missing from the Korean War and Cold War. We expect approximately 430 family members from across the country to attend the two-day meeting so that we can brief them on our efforts to account for their missing loved ones.

On July 12, I led a meeting in Salt Lake City, Utah, where we sat down and briefed 80 family members of missing service members from WWII, the Korean War, and the Vietnam War. Likewise, I had the great honor to address the Veterans of Foreign Wars in July, as well as the National League of Families of American Prisoners and Missing in Southeast Asia in June. Major General McKeague was

with me at these meetings. I know he agrees that the families and our key external partners are as determined as ever to help us improve the way we account for our missing personnel, and just as importantly, to help us improve how we provide answers to their questions.

Many of our families realize we may never find their loved ones, but they look to us to help them understand what happened and they don't want us to give up. It has been made clear to me that not knowing the fate of a missing loved one is as painful as never bringing them home. With that in mind, the lessons and experiences we have learned from our families and veterans have helped shape the Department's views on how we account for those in Iraq and Afghanistan and how we support their families.

I believe that with the support of Congress, the Department of Defense is taking steps to address longstanding challenges to efficiency and effectiveness in the personnel accounting community.

Thank you and I look forward to taking your questions.

Good Morning (Madame Chair), I am John A. Goines, III and I currently serve as the Chief, of the Life Sciences Equipment Laboratory, located at Wright-Patterson AFB, Dayton, Ohio.

The history of the Life Sciences Equipment Laboratory, known by the acronym L*S*E*L, started with the United States Air Force formally establishing the Life Support Equipment Investigation Laboratory L*S*E*I*L in 1983 at the former San Antonio Air Logistics Center, Kelly AFB, San Antonio, Texas. Its function was to investigate problems associated with life support equipment, and resolve issues related to Air Force mishaps. More than 30 years later its mission support continues to expand, to meet taskings from the Department of Defense, the Armed Services, and those of allied foreign nations. In 1992, to more accurately reflect its increasing responsibilities, the facility was renamed the Life Sciences Equipment Laboratory. Currently, the LSEL occupies some 13,000 square feet in Building 17 at the Air Force Life Cycle Management Center, and falls under the operational cognizance of the Human Systems Division of the Agile Combat Support Directorate at HQ Air Force Materiel Command, Wright-Patterson AFB, Ohio. It is a unique facility within the DoD, and based upon comments received from numerous international visitors, with regard to equipment studies and mission diversity performed, it is in all likelihood the only equipment laboratory of its type anywhere in the world.

In 1988, the LSEL mission evolved after the LSEL Chief was approached by the Joint Casualty Resolution Center (JCRC) to examine equipment artifacts recovered in South East Asia to determine the feasibility of accounting for personnel based solely on the equipment. The LSEL conducts investigations, studies, and instructional programs related to a very broad range of military systems, which are defined as life sciences equipment. This category incorporates most variants of flight apparel, military uniforms, and combat infantry gear (including weapons up to .50 caliber); aircraft fixed or ejection seats; most forms of parachute and aerodynamic decelerators; life rafts and personnel flotation systems; avionics communication and visual signaling devices; as well as other specialized equipment ranging from body armor to personal identification media. Basically, such equipment spans all the man-mounted or adjacently attached systems that have permitted American military personnel to successfully perform their duties in both peace and war while operating on land, sea, and in the air from 1917 to the present, and to endure such ordeals. To accomplish its functions, the LSEL maintains hundreds of reference exhibits, as diverse as World War II

infantry equipment, U.S. Navy flight ensembles from the Korean conflict, U.S. Army nursing apparel from the Vietnam period, a complete F-111 aircraft crew escape module, historical variations of military dog tags and blood chits, as well as present day night vision devices and body armor ensembles. Concurrent with present day LSEL studies accomplished upon such equipment, which frequently provides strong supporting evidence to that derived from medical or pathological findings (as to the presence or actions of personnel involved in aircraft crashes or similar destructive situations), the LSEL Chief and JCRC discovered these studies could likewise aid in the accountability of people at historic sites, especially in instances when no human remains were found.

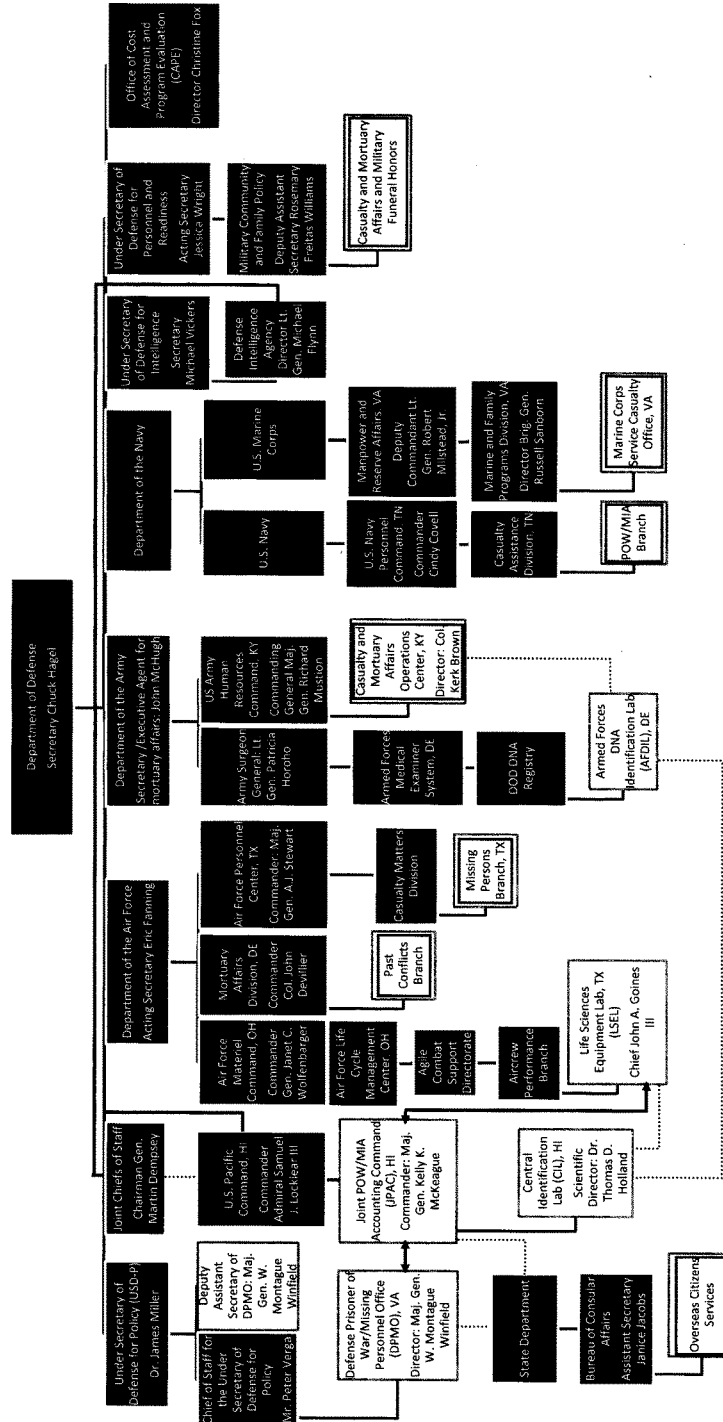
In 1993, the LSEL was tasked by Congress and the Joint Chiefs of Staff to become a support agency of the Joint Task Force-Full Accounting [renamed the Joint POW/MIA Accounting Command (JPAC) in 2003], and subsequently other agencies including the Defense Prisoner of War/Missing Personnel Office (DPMO). This resulted in the establishment of a dedicated LSEL POW/MIA mission, which is manned by specialists whose work involves the accountability of missing Americans, from conflicts like the Indochina War Theater; the Korean Conflict, the Cold War, and the worldwide theater of World War II.

Direction/guidance from JPAC to the LSEL has been very limited through the years. This has hampered the ability of the LSEL to provide timely support not only to JPAC, but to the entire accounting community. Recently however, Deputy Assistant Secretary of Defense Winfield has taken action to establish an open line of communication between the geographically separated elements of the POW/MIA Accounting Community. Although the mission coverage is complex and challenging, the staff remains dedicated to enhancing aviation safety, sustaining and improving this Nation's military resources, and accurately resolving the status of our missing personnel for their families. Within this context, since 1994, the LSEL has supported 194 POW/MIA cases (with an annual operating budget of \$250K) and has accounted for the presence of 206 missing individuals out of 349 being sought.

The LSEL staff consists of a cadre of specialists who has extensive background in numerous types of life sciences equipment types deployed by the American military Services, and some have veteran status. Through the use of a comprehensive technical library and large collection of equipment reference exhibits maintained by the LSEL, the analysts endeavor to match submitted artifacts to the type of equipment and specific system from which it originated, identify its Service applicability, as well as the time period it was used. Further

testing can then be applied, often employing state-of-the-art equipment, along with the full resources of other laboratories and specialists at the Air Force Life Cycle Management Center, to enable artifact identification to be confirmed. Finally, in my lab, all equipment and scientific test results are translated into determinations about accountability of missing personnel. Accordingly, an identified artifact (like a piece of aircrew flight suit) can help reconstruct the pattern and type of its host structure, reveal information about which Military service utilized it, disclose other details about when it was used and with what aircraft until, along with other artifacts and damage assessments, it provides an overall image of what the evidence supports about its previous user and their probable status. Based upon such work, the LSEL and staff are totally dedicated to the resolution of the POW/MIA issue, and to supporting other agencies involved in this highest national priority endeavor, to fully account for our nation's missing personnel.

I thank you for the opportunity of providing opening remarks and I await any questions you have for me at this time.





VETERANS OF FOREIGN WARS OF THE UNITED STATES

www.vfw.org | info@vfw.org

STATEMENT FOR THE RECORD

BY
ROBERT E. WALLACE
EXECUTIVE DIRECTOR
VETERANS OF FOREIGN WARS OF THE UNITED STATES
WASHINGTON OFFICE

FOR THE
SUBCOMMITTEE ON FINANCIAL & CONTRACTING OVERSIGHT
SENATE HOMELAND SECURITY & GOVERNMENTAL AFFAIRS COMMITTEE

WITH RESPECT TO

Mismanagement of POW/MIA Accounting

WASHINGTON, DC

July 30, 2013

Madam Chairwoman, Ranking Member Johnson and members of the Subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, thank you for the opportunity to present our views about recent reports and allegations of mismanagement within America's Full Accounting Mission community.

First and foremost, there is no military mission more sacred than to recover our fallen. It fulfills a soldier's promise to never leave a comrade on the battlefield, and it reassures those we send to war and their families that our nation will bring you home.

The VFW has a unique relationship with the Full Accounting Mission unlike most other Veteran and Military Service Organizations. The VFW senior leadership is in constant contact with the leadership of the Department of Defense POW/MIA Office (DPMO) and the Joint POW/MIA Accounting Command (JPAC). We have visited Southeast Asia every year since 1991, Russia since 2004, and the People's Republic of China for the past several years, with hopes of using our non-governmental status to help U.S. researchers gain deeper access into foreign military archives.

Every VFW member has also served in harm's way, and every Auxiliary member has experienced the anxiety that every deployment brings. That relevance is why the VFW is an ardent supporter of the Full Accounting Mission and its community. We consider it a mutually-beneficial partnership, which is why we are deeply concerned with the near simultaneous release of two reports — one official, the other not — earlier this month.

DOD, as does the VFW, welcomes the GAO report.

Our concern is congressional and the public's interpretation of the two reports without any first-hand knowledge of the Full Accounting Mission.

The Full Accounting community is comprised of some 15 DOD and individual military service organizations who report to nine different command structures, but that lack of unity of command does not necessarily translate into no unity of mission.

As the principal operator, JPAC augmentation requirements from DOD and the military services range from combat medics and explosive ordnance disposal specialists to aircraft, Navy salvage ships, DNA testing, policy negotiations, and archival research in U.S. and foreign files, among many others. Since the creation of DPMO, JPAC and its predecessor, the VFW does not know of any instance where a JPAC requirement was denied by a supporting military service.

The GAO found duplicative efforts within DPMO and JPAC that could be more streamlined and/or consolidated. Such actions are currently being examined.

The VFW is also concerned with the unofficial report taking an academic or budget analyst's view of the Full Accounting Mission. JPAC investigation and recovery teams operate in some of the most arduous and remote places on Earth. They do so despite having taken organizational casualties of their own, and they do so fully knowing that in another time or place, "There but for the Grace of God go I." Any inference that it is more cost-effective to recover one MIA over another completely disregards why the Full Accounting Mission exists. The VFW regards all MIAs as equal in all respects, regardless of conflict or cost.

America performs humanitarian missions all over the world, but the Full Accounting Mission is the only humanitarian mission our nation provides 24/7 solely for the benefit of fellow Americans. To fulfill a soldier's promise and to bring solace and closure to their families, is a sacred mission that must be protected, resourced and honored.

The Veterans of Foreign Wars of the United States is the strongest supporter of the Full Accounting Mission, of the military and civilian men and women who perform it, and of the families of the 83,000 fallen who still wait for their loved ones to return home. We fully support the DOD review of the overall mission and of its lead and subordinate organizations; however, any action that lessens America's resolve to account for her missing will not have the VFW's support.

The VFW looks forward to working with the Defense Department and this Committee to strengthen America's Full Accounting Mission.

Thank you for the opportunity to present the VFW's concerns.

-vfw-

**STATEMENT OF ANN MILLS-GRIFFITHS
CHAIRMAN OF THE BOARD
TO THE
COMMITTEE ON HOMELAND SECURITY & GOVERNMENT AFFAIRS
SUBCOMMITTEE ON FINANCE & CONTRACTING OVERSIGHT
August 1, 2013**

On behalf of the Vietnam War POW/MIA families who comprise our nonprofit, humanitarian organization, I appreciate the opportunity to present views pertaining to the subject of today's hearings, presumably to question the capability and effectiveness of primary Department of Defense organizations charged with achieving the fullest possible accounting for US personnel, military and civilian, not yet returned from serving our country.

Despite being an MIA sister, with over four decades of national and international involvement in efforts on this issue, I have been and continue to be straight-forward and objective in assessing our government's policies and their implementation. As League Executive Director from 1978 to 2011, 34 years, monitoring and contributing to the accounting process has been my sole focus. As Chairman of the Board, though purportedly retired, the requirements on me have not subsided; in fact, quite the opposite.

I've seen monumental changes in the accounting process since the end of the war in 1975, and worked with every administration since that time to ensure that the US had a balanced, forward-looking policy that could bring about the answers that we were confident could be obtained. There have been many challenges, but also real successes, more than many anticipated: Over 1,000 Americans previously missing from service in the Vietnam War have been accounted for and returned to their families and our nation.

A comprehensive archival research and analysis process, on-site field investigations and Vietnamese unilateral action have formed the basis for excavations that brought remains recoveries and identifications. We have assurances from the governments of Vietnam, Laos and Cambodia of continuing cooperation. In fact, we have had appeals from Vietnam since 2009 to further expand the level of joint cooperation. Such assurances were very recently reinforced during the welcome visit last week of Vietnam's President Truong Tan Sang and his delegation.

The League is gratified and proud that because of our determination, some of the families of those still unaccounted for from wars and conflicts further past have reason to hope that they, too, will have closure, but it must not come at the expense of the Vietnam War accounting. All must be pursued simultaneously with the necessary budget and personnel required to enable all accounting-related organizations to succeed in this mission.

Throughout these long years, there have been many ups and downs, but nothing is more devastating than when we are disappointed and frustrated with our own government. We expect intransigence and obfuscation from some foreign governments, especially communist governments with which our nation has been at war, but in today's environment, it is almost reversed.

Today, we are seeing internal divisions and dysfunction that must be responsibly, thoughtfully addressed by intelligent leaders with knowledge and experience, leaders motivated for the right reasons – to fulfill our nation's obligation to America's POW/MIAs and their families – to improve the accounting process with transparent integrity and fairness.

Instead, within the last two years, arbitrary steps have been taken to force out highly qualified, dedicated people. In both the Defense POW/Missing Personnel Office (DPMO) and the Joint POW/MIA Accounting Command (JPAC), reorganizations have occurred based more on exerting control than on any logic to improve the accounting process.

In JPAC's Central Identification Laboratory (CIL), a temporary ORISE fellow, hired and inspired by the Lab leadership, misinterpreted congressional intent mandating increased capability and capacity to reach a goal as mandating at least 200 identifications per year by FY15. Setting a goal is laudable, if fully funded, but not requiring a scientific result that could, and likely would, compromise the integrity of the accounting process. This resulted in one of the most distorted, inaccurate studies I've ever read.

That study, by Dr. Paul Cole, equated JPAC's accounting mission to little more than an effort to plan and schedule production of widgets. Supported by some in JPAC's lab leadership, he arrogantly dismissed highly educated and trained historians, archeologists and former military intelligence analysts in JPAC's J2 Directorate as "knowledge workers." He even accused such talented personnel of "military tourism" as they conducted difficult investigations in foreign countries. Dr. Paul Cole has reportedly even attempted to destroy careers and malign colleagues who didn't agree with his limited outlook.

Such is the nature of Dr. Cole's "Information Value Chain" draft study, first delivered without the JPAC Commander's approval to the White House and Congressional Staff, then provided to AP journalist Bob Burns, timing the "leak" to coincide with release of a congressionally mandated study by the General Accounting Office. At a time of public suspicion about everything associated with the US Government, from the IRS to the NSA to Benghazi, disappointment and dismay with Congress, sequestration and furloughs, the environment was a perfect storm, just the ticket to get the attention some were seeking. Unfortunately, some never consider the unintended consequences of what they initiate.

Our greatest immediate concerns are domestic, and that is more disturbing than any other circumstance. In all my years of working this issue, I've never seen such distrust within the accounting community. It is sad to see, but complicated to deal with constructively.

In all fairness, the GAO team tried to get to the bottom of many disconnects, and some of their findings and recommendations warrant close attention and thoughtful corrective action. We have every confidence that Major General Kelly McKeague, USAF, the relatively new JPAC Commander, is up to the challenges he faces.

General McKeague inherited a wealth of problems internal to JPAC, as well as some external, that GAO's assessment addressed, the LSEL disconnect being easiest to resolve simply by ordering JPAC's Lab to fully utilize LSEL's resources as an integral part of the accounting process and to do so in a timely manner.

Although there was insufficient notice of the hearing to allow time for a comprehensive analysis, the GAO report alluded to redundancies in JPAC's J2 (now RA) Directorate and DPMO's RA (now Operations) Directorate. This is one finding with which the League totally disagrees. The differences in approach and application are complimentary and mutually supportive to facilitate a process of checks and balances that must be preserved. Further, one (JPAC) must rightfully focus on tactical analysis geared to field operations; DPMO/RA must focus on comprehensive assessments based on history, the behavior of the target country, and overall policy responses to Washington leadership and Congress.

We believe General McKeague will succeed, providing he can refocus JPAC's scientific staff away from trying to control all aspects of the accounting process and onto their primary task – identifying remains – whether jointly recovered, unilaterally repatriated by a foreign government, received from a third party or disinterred from US cemeteries around the world. The Lab has constantly expanded into areas where others have institutional expertise and has now encompassed historians and LSEL-like functions.

Regardless of how remains are accessioned into JPAC's Lab, the men they represent and their families deserve and expect the earliest possible professional effort to establish identification. That requires greater attention by qualified forensic anthropologists and forensic odontologists to the tasks directly involved with the identification process.

Other highly educated and experienced personnel, including forensic anthropologists no longer working in the Lab, archeologists, investigation specialists and historians are more than capable of conducting investigations, archival research and field operations to locate sites and recover them. These field operations are often preceded by interviews conducted by JPAC specialists, with assistance from the Defense Intelligence Agency's specialists, the Stony Beach Team.

We do not expect miracles and recognize that accounting for all missing US personnel is not and will never be possible. Therein lies the critical importance of family member confidence in the comprehensive investigation and archival research processes. In the absence of identifiable remains, the accumulation and analysis of material evidence and information by qualified specialists may be all that family members receive. That historic summary must not be the product of nor controlled by forensic scientists, but experienced analysts who know the case-history, background and wartime environment, not by scientists trained in skeletal identifications. And, policy oversight by DPMO is critical as well.

Since the formation of DPMO and its relegation away from regional offices in OSD (formerly ISA, now ISP) supervision, along with the abolishment of the POW-MIA Interagency Group that met regularly under the chairmanship of State Department, this issue has suffered -- all expecting DPMO to cover the entire issue without serious policy-level support. Reorganization for its own sake to another OSD element removed from policy is bound to fail as well.

Utilizing all of the assets and resources available, and doing so with transparency and integrity, is what the families, our supportive veterans and the American people deserve and expect. This issue deserves to be addressed by our government as other priority matters are addressed, not as an exception and not as an aberration. DPMO, has a specific role that has long been defined, but never successfully executed, namely to provide policy control and oversight of the accounting process, but not to be operational, as far too many DPMO Directors have sought to become.

DPMO is not qualified to conduct in-country investigations, but can contribute significantly by pursuing archival research for relevant documents and analyzing the results, then sharing their analyses with JPAC to form the basis for successful field operations. DPMO can also contribute greatly by advocating for JPAC's budget and personnel requirements to maximize opportunities to achieve results. They also have a critical role in keeping the policy community in OSD and State Department engaged in the mission, along with Congressional liaison and public diplomacy. These contributions may not seem as attractive or gain the recognition that is devoted to operations, but they are no less crucial to the accounting process of checks and balances that this mission deserves.

If Congress is serious about your mandate on this issue, then fully fund it. The official accounting community, the major national veteran organizations and the families from all wars would welcome it, and much of the dissension and competition for funds would no longer be a problem.



**STATEMENT FOR THE RECORD
OF THE
NATIONAL SECURITY COMMISSION
THE AMERICAN LEGION**

TO THE

**SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

ON

"MISMANAGEMENT OF POW/MIA ACCOUNTING"

AUGUST 1, 2013

**STATEMENT FOR THE RECORD OF THE
 NATIONAL SECURITY COMMISSION
 THE AMERICAN LEGION
 TO THE
 SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT
 COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
 UNITED STATES SENATE
 ON
 “MISMANAGEMENT OF POW/MIA ACCOUNTING”**

AUGUST 1, 2013

A General Accountability Office report (GAO-13-619) was recently released regarding the mismanagement of the POW/MIA accounting community. It analyzed guidance and requirements, discussed accounting efforts and the structure of the community with community members, and surveyed accounting community members and related entities. The report describes its findings as mismanaged, inept, and wasteful.

According to GAO, the Department of Defense’s (DOD’s) capability and capacity to accomplish its missing persons accounting mission is being undermined by longstanding leadership weaknesses and a fragmented organizational structure. Leadership from the Under Secretary of Defense for Policy (USD Policy) and U.S. Pacific Command (PACOM) have not been able to resolve disagreements among accounting community members, thereby impacting DOD’s ability to meet the mandated goal of increasing its capability and capacity to account for 200 missing persons a year by 2015. DOD averaged 72 identifications annually in the decade ending in 2012.

GAO found the following areas of progress and continuing areas of weakness:

- In response to a 2009 direction from the Deputy Secretary of Defense, the accounting community has begun drafting a community-wide plan to meet the accounting-for goal, but as of July 2013 this plan had not been completed due to a fragmented approach to planning and disputes among community members. Without a community-wide plan, members have had varied success in obtaining resources to meet the goal.
- DOD is working to clarify its guidance, but roles and responsibilities for community members are not well defined. This lack of clarity has led to overlap in key aspects of the mission such as investigations.
- DOD does not have agreements with all combatant commands to conduct operations to find missing persons outside of PACOM’s area of responsibility. Joint Prisoners of War, Missing in Action Accounting Command (JPAC) negotiated an updated agreement with European Command (signed in April 2013), but it has not negotiated similar agreements with the other four geographic combatant commands.
- While DOD has established criteria to prioritize recovery efforts for missing persons from the Vietnam War, it has not established criteria to prioritize potentially recoverable missing persons from other conflicts.

- DOD has not established mechanisms to sustain recent improvements in communication among community members.

The issue of POW/MIA accounting is deeply personal for the thousands of families across the country awaiting the return of their missing loved ones. These families have been very active in engaging these efforts and have suffered grief and uncertainty for decades.

If the results of this report are true, The American Legion finds this unacceptable. We, as a nation, owe it to the families of the missing to do everything possible to achieve the fullest accounting of our missing servicemembers. This effort should not be slowed by internal conflicts, bureaucratic bickering, and mismanaged taxpayer dollars. It is for these reasons that The American Legion passed resolution number 78, POW/MIA Policies, at our 2012 National Convention, to ensure the fullest possible accounting for all U.S. military personnel and designated civilian personnel missing and unaccounted for from our nation's wars.

GAO made nine recommendations to DOD, and DOD generally concurred with these recommendations. They include:

- examining options to reorganize;
- clarifying responsibilities for the accounting community;
- improving planning, guidance; and,
- criteria to prioritize cases; and
- sustaining communication.

In support of the nation's POW/MIA mission The American Legion has:

- Hosted POW/MIA updates during its annual Washington Conferences and National Conventions with speakers from the accounting community to include JPAC, Defense Prisoner of War and Missing Personnel Office (DPMO), and other accounting community offices.
- Participated in veterans service organizations meetings with DOD held specifically for the accounting community leadership.
- Raised community awareness through our 2.4 million members and our 14,000 posts.
- Adopted resolutions and advocated to Congress for full funding of the POW/MIA community
- Called upon Congress to continue to declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to public review
- Called upon Congress to establish a joint standing congressional committee on POW/MIA affairs to ensure continued action by the executive branch in addressing the POW/MIA issue.
- Called upon the President and Congress to initiate or strengthen joint commissions with Russia, the People's Republic of China, and The Democratic People's Republic of Korea to increase their POW/MIA recovery efforts
- Called upon the President and Congress to take further favorable actions toward the Socialist Republic of Vietnam only after Hanoi provides the fullest possible accounting* for POW/MIAs in Vietnam or in areas of Laos and Cambodia it controlled during the Vietnam War.

*"Fullest possible accounting" is defined as turning over live prisoners, repatriating remains of those killed in action or who died in captivity, or providing a valid, conclusive report when neither is possible.

In conclusion, there are more than 83,000 Americans missing from past conflicts in Vietnam, Korea, the Cold War, the Persian Gulf, and World War II. The American Legion urges Congress to provide full funding, personnel, and any other required resources for all participants of the Department of Defense POW/MIA accounting community, and to ensure these funds not be redirected by DOD for any other purpose.

The American Legion remains steadfast in our commitment to the goal of achieving the fullest possible accounting for all United States military personnel missing and unaccounted for from our nation's wars. The American Legion again thanks the Committee for its attention to this matter. For additional information regarding this testimony, please contact Mr. Dean Stoline at The American Legion's Legislative Division, (202) 861-2700 or dstoline@legion.org.

**NINETY-FOURTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION**

Indianapolis, Indiana

August 28, 29, 30, 2012

Resolution No. 78: POW/MIA Policies

Origin: Maryland

Submitted by: Convention Committee on Foreign Relations

(As amended)

WHEREAS, American servicemembers remain missing in action or otherwise unaccounted for from America's past wars and conflicts and reports indicate that in former enemy areas where Americans could still be alive, information has been deliberately and cruelly withheld; and
 WHEREAS, The families of POW/MIAs suffer untold grief and uncertainty due to the lack of any accurate accounting, and often in spite of the heroic efforts of U.S. search teams; and
 WHEREAS, The National Defense Authorization Act (NDAA) of 2010 called upon the Secretary of Defense to provide funds, personnel, and resources as the Secretary considers appropriate to significantly increase the capability and capacity of the Department of Defense (DOD), the Armed Forces, and commanders of the combatant commands to account for missing persons so that, beginning with fiscal year 2015, the POW/MIA accounting community has sufficient resources to ensure that at least 200 missing persons are accounted for under the program annually; and
 WHEREAS, While the Department of Defense has increased funding and resources to the Joint POW/MIA Accounting Command (JPAC) to support the expanded mission as explained in the NDAA 2010, the military construction project for a new facility to meet the needs of JPAC has a funding shortfall of \$22.79 million, which will delay the ability to occupy the new building; and
 WHEREAS, Advancements in science and forensic technology have caused specific locations of alleged remains of US service members to be recently identified by the U.S. Government; and
 WHEREAS, New and promising identification techniques involving radiographic comparison and facial superimposition have drastically increased our ability to identify servicemen for whom DNA matching is not an alternative; and
 WHEREAS, Each member of the DOD POW/MIA accounting community, which includes the Armed Forces DNA Identification Laboratory (AFDIL), the Defense POW/Missing Personnel Office (DPMO), the Life Sciences Equipment Laboratory (LSEL), and the service casualty and mortuary offices, plays a vital role in the mission to account for unaccounted for U.S. servicemen from our Nation's past conflicts; and
 WHEREAS, DPMO is the agency responsible for the administration and policy for military personnel accountability; and
 WHEREAS, This accounting effort should not be considered complete until all reasonable actions have been taken to achieve the fullest possible accounting; and
 WHEREAS, The American Legion advocates for the full accounting of missing Americans, in every country, on every continent; and 2

WHEREAS, The American Legion believes U.S. Government POW/MIA operations are still inadequate, and the President's normalization of relations with Vietnam has not achieved substantially greater progress; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Indianapolis, Indiana, August 28, 29, 30, 2012, That The American Legion remains steadfast in our commitment to the goal of achieving the fullest possible accounting for all U.S. military personnel and designated civilian personnel missing and unaccounted for from our nation's wars; and, be it further

RESOLVED, That The American Legion urges the President and Congress to speak out on every occasion to expedite the return of those U.S. servicemen who remain Missing in Action regardless of location or era of loss; and, be it further

RESOLVED, That The American Legion urges the President and Congress to support legislation and policies that will use all reasonable resources to achieve the fullest possible accounting of all missing American servicemembers regardless of location or era of loss; and, be it further

RESOLVED, That The American Legion calls upon Congress to provide full funding, personnel, and any other resources for all members of the Department of Defense (DOD) POW/MIA accounting community, and to ensure these funds not be redirected by the DOD for any other purpose; and, be it further

RESOLVED, That The American Legion calls upon the Secretary of Defense to quickly fund the shortfall for the Joint POW/MIA Accounting Command (JPAC) construction project; and, be it further

RESOLVED, That The American Legion calls upon the President and Congress to continue to declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to public review; and, be it further

RESOLVED, That The American Legion calls upon Congress to establish a joint standing congressional committee on POW/MIA affairs to ensure continued action by the executive branch in addressing the POW/MIA issue; and, be it further

RESOLVED, That The American Legion calls upon the President and Congress to 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; and, be it further

RESOLVED, That The American Legion calls upon the President and Congress to take further favorable actions toward the Socialist Republic of Vietnam only after Hanoi provides the fullest possible accounting for POW/MIAs in Vietnam or in areas of Laos and Cambodia it controlled during the Vietnam War; and, be it finally

RESOLVED, "Fullest possible accounting" is defined as turning over live prisoners, repatriating remains of those killed in action or who died in captivity, or providing a valid, conclusive report when neither is possible.



Capability and Capacity Assessment of the Defense Prisoner of War / Missing Personnel Office (DPMO)

Executive Summary Report

Project Date: 19 June 2012 – 25 October 2012

Office of the Deputy Chief Management Officer (DCMO)

Continuous Process Improvement (CPI)/Lean Six Sigma (LSS) Program Office

The enclosed deliberative document contains information exempt from the disclosure provisions of the Freedom of Information Act (5 U.S.C. § 552). The Department of Defense provides the document with a full reservation of rights and with the understanding and intent that providing the material shall not be deemed a waiver of any applicable privilege. The Department respectfully requests that the document be shared only within the Senate Homeland Security and Government Affairs Committee and then only with those who have an official need for the information, that the document not be disclosed outside the Committee or to the public, that appropriate steps be taken to safeguard these document, and that the document be destroyed after use. This document is marked For Official Use Only." Privacy Act exempted materials have been redacted.



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1.0 GENERAL INFORMATION**1.1 Problem Statement**

In FY10, Congress amended Title 10 to direct the Department of Defense (DoD) to implement a comprehensive, coordinated, integrated, and fully resourced program to account for designated missing persons. Congress directed that the DoD provide sufficient resources and capabilities to significantly increase the capability and capacity of mission operations to account for 200 missing persons annually beginning with fiscal year 2015

1.2 Goal Statement

To perform a capability and capacity assessment for the Defense Prisoner of War/Missing Personnel Office (DPMO) and assist the Deputy Assistant Secretary of Defense (DASD) in developing a way forward. Provide supporting external reviews of the DPMO and Accounting Community process and capabilities. Identify organizational process and performance improvement recommendations to ensure (1) sufficient resources (2) increased capabilities, by FY15 to begin accounting for two to three fold the number of missing personnel annually that the POW / MIA community is currently capable of identifying.

1.3 Scope

DPMO requested the Office of the Deputy Chief Management Officer (DCMO) Continuous Process Improvement (CPI)/Lean Six Sigma (LSS) Program Office perform a process and capability review of the DPMO. In addition, strategic planning support was requested to assist the DPMO and the POW/MIA Accounting Community in developing a coordinated plan forward. Working with DPMO, the Joint POW/MIA Accounting Command (JPAC), Armed Forces DNA Identification Laboratory (AFDIL), the Life Sciences Equipment Laboratory (LSEL), and the Service Casualty Offices (SCO's), the scope of the capability and capacity assessment should include but not be limited to the following:

- Policy and Procedure Assessment and Interviews
- Root Cause Analysis and Improvement Recommendations
- Accounting Community Processes
- Information Technology Processes
- Other applicable Organizational Processes
- Strategic Planning for Mission, Vision, Core Competencies, and Priorities
- Measurement of continuous performance improvement strengths and weaknesses in four interrelated factors:
 - Organizational Strategy
 - Mission Integration
 - Mission Performance, and
 - Communication/Culture

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FOR OFFICIAL USE ONLY (FOUO)**1.4 Team Members:**

The following team members representing the DCMO CPI/LSS Program Office.

Name	CPI/LSS Program Office Representatives	Role
	DCMO : CPI/LSS	Project Champion
	DCMO : CPI/LSS	Project Lead
	IBM	Senior Analyst
	IBM	Senior Analyst
	IBM	Senior Analyst
	IBM	Facilitator : Senior Analyst
	IBM	Senior Analyst : Research Methods
	IBM	Senior Analyst
	Info Tool, Inc.	Research Methods
	Info Tool, Inc.	Systems Support
	Info Tool, Inc.	Systems Support

The following team members represented the POW/MIA Accounting Community, providing information to the CPI/LSS Program Office team. In addition, many of the representatives were members of a group that became identified as the Purple Team.

Name	POW/MIA Accounting Community Representatives	Role
Honorable W. Montague Winfield	Defense POW/Missing Personnel Office	DASD Project Sponsor
Ms. Alisa Stack	Defense POW/Missing Personnel Office	Principal Deputy
	Defense POW/Missing Personnel Office	(b)(6)
	Defense POW/Missing Personnel Office	(b)(6)
	Defense POW/Missing Personnel Office	Research and Analysis
	Defense POW/Missing Personnel Office	Policy
	Defense POW/Missing Personnel Office	External Affairs
	Defense POW/Missing Personnel Office	South East Asia
	Joint POW/MIA Accounting Command	(b)(6)
	Defense POW/Missing Personnel Office	Strategic Planning

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Name	POW/MIA Accounting Community Representatives	Goal	
	Joint POW/MIA Accounting Command	J2 Intelligence Directorate	(b)(6)
	Joint POW/MIA Accounting Command	Central Identification Laboratory (CIL)	
	Joint POW/MIA Accounting Command	J5 Operations (Investigations/Excavations)	
	Joint POW/MIA Accounting Command	J2 Intelligence Directorate	
	Joint POW/MIA Accounting Command	J2 Intelligence Directorate	(b)(6)
	AFDII	DNA Identifications	
	AFDII	DNA Identifications	
	Joint POW/MIA Accounting Command	J2 Intelligence Directorate	
	Joint POW/MIA Accounting Command	J2 Intelligence Directorate	(b)(6)
	AFDII	DNA Identifications	
	Army Casualty Office	Service Casualty Office Representative	
	LSFL	Researcher	
	DIA	Intelligence/Researcher	
	Air Force Mortuary Affairs	Service Casualty Office Representative	
	Air Force Mortuary Affairs	Service Casualty Office Representative	
	Marine Corps Casualty	Service Casualty Office Representative	
	Marine Corps Casualty	Service Casualty Office Representative	
	Navy POW/MIA	Service Casualty Office Representative	
	LSFL	Researcher	

2.0 Management Summary**2.1 Strategic Alignment**

2.1.1 QDR: Goal #4 Preserve and Enhance the All-Volunteer Force. Goal #5 Reform the business and support functions of the Defense enterprise.

2.1.2 SMP: Goal 3. Build agile and secure information capabilities to enhance combat power and decision-making while optimizing value. Goal 6. Re-engineer/use end-to-end business processes to reduce transaction times, drive

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down costs, and improve services. Goal 7. Create agile business operations that plan for, support, and sustain contingency missions.

2.1.3 DCMO Priorities: Increase the audit readiness of individual DOD Components.

2.1.4 GAO High-Risk Priorities: Transforming DOD Program Management: DOD Approach to Business Transformation and DOD Business Systems Modernization.

2.2 Mixed Method Analysis Approach

Based on the project's focus on identifying organizational process and performance improvement recommendations to ensure (1) sufficient resources (2) increased capabilities, the CPI/LSS Program Office assigned a team and defined a mixed method analysis approach as the framework for evaluation. The methods used were as follows:

- Process Mapping and Analysis
- Interviews of DPMO and Accounting Community Personnel
- Continuous Performance Improvement Assessment Tool

Due to the lack of detailed process performance data, this mixed method approach allowed the CPI/LSS Program Office personnel to qualitatively and quantitatively triangulate and validate DPMOs capability to perform its core mission. In addition, the method allowed the POW/Accounting Community to collaborate by providing input on their work processes and mission capabilities.

The CPI/LSS Program Office personnel met and interviewed staff of the DPMO, the Joint POW/MIA Accounting Command (JPAC), Armed Forces DNA Identification Laboratory (AFDIL), the Life Sciences Equipment Laboratory (LSEL), and the Service Casualty Offices (SCO's)

During these meetings, the CPI/LSS Program Office personnel inquired on a number of policy and procedure topics:

- An individual's role within the accounting and recovery mission.
- Identification of issues that consistently impacts his or her organization and processes.
- Identification of issues in the near or distant future the organization needs to address.
- Recommended changes and reasons for the change.
- Was anything being done to improve process, performance, or collaboration?

The CPI/LSS Program Office personnel facilitated meetings with staff of the DPMO and the POW/MIA Accounting Community to construct high-level process maps of the core Accounting Community Processes. The process maps for research and analysis activities at the DPMO and JPAC were developed and reviewed respectively. Information technology processes had been documented, as were the processes used by JPAC's Central Identification Laboratory. Additional process maps were developed for the LSEL, AFDIL, and the SCO activities. These were reviewed with their respective staff. A summary of the process map presentations is attached in Appendix F.

The third element of the review included the use of a Continuous Performance Improvement Assessment Tool developed by the CPI/LSS Program Office, with consulting support from [REDACTED] and technology support from InfoTool. The InfoTool technology supported the pilot of a new CPI/LSS Program Office CPI assessment tool and provided support for rapid analysis of those results. This tool allowed the CPI/LSS Program Office staff to pilot the measurement of continuous performance improvement strengths and weaknesses in four interrelated factors: organizational strategy, mission integration, mission performance, and communication/culture. Appendix B provides a summary of the results.

(b)(6)

This mixed method approach allowed the CPI/LSS Program Office personnel to gain an understanding of how the work was being performed from an organizational core process focus, as well as, how the DPMO staff viewed the DPMO's ability to support and execute its mission.

FOR OFFICIAL USE ONLY (FOUO)**DPMO and Purple Team Facilitation**

In addition to the mixed method analysis support provided, strategic planning support was requested to assist the DPMO and the POW/MIA Accounting Community in developing coordinated plans forward. The DASD sponsored a DPMO Strategic Planning Offsite, as well as, the creation of a cross functional POW/MIA Accounting Community workgroup. This working group later became identified as the "Purple Team."

2.3 Assumptions and Constraints

At the startup of the project, the project team developed a set of assumptions and potential project constraints.

- Constraint: Lack of key performance measures focused on core processes may constrain analysis of process performance.
- Assumption: Availability of over fifty interviews conducted over a two week period by a senior analyst independent of the online CPI assessment.
- Assumption: Access to interviewed Senior Leaders and staff in:
 - Strategic Planning and Initiatives
 - Accounting Policy
 - Enterprise Services
 - Research and Analysis and JCSD
 - External Affairs
 - Recovery Policy
- Assumption: Ensuring responses from staff are perceived open and candid.
- Assumption: In addition to interviews, allow information to be provided in the form of sealed envelopes for anonymity.
- Assumption: Understand friction noted between DPMO and JPAC centered at the directorate level in both organizations causing sub-optimization and duplication of effort.
- Assumption: Understand that in the past, that staff were told not to work with/share information with JPAC – directors must approve anything that gets shared prior to semiannual meetings or other meetings causing duplication of effort and loss of opportunities for locating "hits."
- Assumption: Staff inferred early that there was no internal strategic plan – creating an organization that is reactive vs. proactive.

Purple Team Support

The CPI/LSS Program Office personnel supported the planning and facilitation of two Purple Team meetings. As part of these meetings, the CPI/LSS Program Office presented processes and findings to the Purple Team.

The CPI/LSS Program Office personnel reviewed the documented cross functional and cross organization (community) process maps. The process maps were reviewed with the Accounting Community to help the Accounting Community at large better understand the process and performance interdependencies.

During the first Purple Team Meeting, each of the Accounting Community elements presented an overview of their organization mission and capabilities based on a template provided by the CPI Program Office. As a foundation element, the CPI/LSS Program Office personnel reviewed and discussed strategic planning best practices and the Six Disciplines for Excellence strategic planning methodology. The methodology has a strong emphasis on organizational alignment. The Six Disciplines Methodology by Gary Harpst is a step-by-step, synchronized, systematic approach for building organization strategic alignment and sustaining excellence. It integrates several disciplines – strategic planning, quality management, integrated learning, business process automation, people performance management and measurement.

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During the second Purple Team meeting, there was a review of each of the Accounting Communities activities to assist in identification of factors potentially limiting their ability to achieve the capability and capacity to make 200 identifications per year starting in 2015. The CPI/LSS Program Office personnel provided facilitation support.

DPMO Strategic Planning Offsite

During the DPMO Strategic Planning offsite, the CPI Team facilitated the development of a revised DPMO Mission, Vision, Values, DPMO's Draft Core Competencies and Mission Support, and Director's Intent. The DPMO Strategic Planning outcomes which are detailed in Appendix F of this report include the following areas:

- DPMO's Revised Draft Mission Statement
- DPMO's Revised Draft Vision Statement
- DPMO's Revised Draft Core Values
- DPMO's Draft Core Competencies and Mission Support
- Director, DPMO Priorities

The CPI Team also presented results from the Continuous Performance Improvement Assessment Tool. The group openly discussed both the strength and weakness measures of the assessment and acknowledged that the results were reflective of its current state. The summary for each narrative statement is attached in Appendix C. The group agreed to continue to review, analyze and identify improvement actions. Access to the tool and a complete set of narrative comments were sent confidentially to the DASD due to the sensitive nature of some of the comments.

2.4 Key Laws, Regulations, or Policies

There are a significant number of laws, policies and regulations that affect the Accounting Community mission. A comprehensive list is available at the DPMO web site: http://www.dtic.mil/dpmo/laws_directives/. The following represent a significant focus for this project:

- Defense Authorization Act for 2010, Title V – Military Personnel Policy, Subtitle E-Missing or Deceased Persons
- Definition of Accounting - Section 1513(3)(B) of title 10, United States Code

2.5 Key Deliverables

Appendix A: Executive Summary of Findings and Recommendations

Appendix B: DPMO Continuous Performance Improvement Assessment Results Overview

Appendix C: DPMO Continuous Performance Improvement Assessment Results Narrative Statement Summary

Appendix D: Strategic Plan Template

Appendix E: DPMO Strategic Planning Outcomes

Appendix F: Process Maps by Functional Area

Template: Organizational Mission and Capabilities Briefing for Purple Team Meeting #1

FOR OFFICIAL USE ONLY (FOUO)**2.6 Key Findings**

As part of the capability and capacity assessment, four core finding categories were established including Organizational Alignment, JPAC and DPMO Strategic Planning, Accounting Strategy by Conflict, and Process and Technology. For further details regarding the findings, reference Appendix A of the report.

2.6.1 Organizational Realignment

- There are a number of overlapping functions of the DPMO with JPAC. The most significant of these is the core mission of research and analysis.
- The process maps, interviews, and CPI Assessment Tool indicate process performance issues within processes and between organizations.
- DPMO has taken a more historical approach in research and analysis to develop cases, while JPAC has looked at recent findings from field investigations and expeditions.

2.6.2 JPAC and DPMO Strategic Planning

- Interviews, process mapping, and the CPI Assessment Tool identified that the DPMO's strategic planning has been fragmented, poorly aligned with the Accounting Community Planning, has lacked DPMO staff collaboration, and has lacked objectives, supporting initiatives, or action plans linked to budget that can effectively drive the mission strategically.
- The strategic planning activities in the past have been created by a small group of DPMO leaders and support staff, and have excluded key DPMO functional leaders and staff.
- Although a strategic plan exists, it is incomplete and has not been communicated effectively to the staff.
- The strategic plan has lacked specific, measurable, actionable, relevant, and time bound objectives, measures and targets.
- The plan was not effectively communicated and socialized with the DPMO staff or the Accounting Community.
- The strategic plan was not effectively managed or reviewed to ensure the organization was achieving its goals.
- DPMO's budgeting process and its outcome has mostly been unknown to the functional leaders and key stakeholders.

2.6.3 Accounting Strategy by Conflict

- During the review of the DPMO, an underlying theme emerged. There were no annual performance objectives for POW/MIA personnel accounting. Neither the strategic plans of the DPMO or the Accounting Community of the past few years set mission targets for accounting.
- During FY2011, JPAC had taken action to develop a capacity plan. That plan was not formally shared with DPMO until the 3rd quarter of FY2012.
- During the review, there was an undertone of conflict between DPMO and JPAC regarding research and analysis.

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- Due to the nature of the conflicts, the research and analysis processes for each conflict differed within the DPMO.
- No annual performance objectives were defined for POW/MIA personnel accounting overall or by conflict.
- Public and congressional inquiries for family updates seem to continually refocus work of the historians and researchers.
- The JPAC Operations Plan is the Accounting Community's mission driver.
- DPMO and JPAC staff noted that a key element of success for identification was the result of leads from local government or land owners who were involved with the conflict or who had come across evidence of a potential site.
- During FY2011, JPAC CIL and JPAC Operations Planning staff reversed engineered the many activities that occurred that led to identification by conflict.
- There is a lack of accounting strategy by conflict that affects research and analysis, as well as Accounting Community operations planning.
- There are multiple lists by conflict for the POW/MIA personnel. The standards used to manage this list differ by conflict.

2.6.4 Process and Technology

- DPMO's core mission processes were not well documented, they were not well understood except by a few key members of the staff, performance of supporting IT processes were just starting to become standardized, measured, or communicated.
- A review of the technology used for the core mission function of research and analysis at DPMO had not been effectively utilized.
- JPAC and DPMO both have invested in a Geospatial Information System (GIS) system that differs from each other in mission focus and capability.

2.7 Conclusions and Recommendations

There are a total of six organizational process and performance improvement recommendations aligned to the four core finding categories. Due to the dependent nature of the recommendations, if not implemented together, the Accounting Community's ability to increase their capability and capacity to meet the FY2015 goal of 200 identifications per year may be reduced.

The recommendations are as follows:

2.7.1 Organizational Alignment

- 2.7.1.1 Realign the functions and staffing for the research and analysis mission, the investigative mission, the expedition mission, information technology, and external affairs of cases within one organization: JPAC.
- 2.7.1.2 Reassign LSEL functions and responsibilities to the CIL, including information resources managed by the LSEL mission.

FOR OFFICIAL USE ONLY (FOUO)**2.7.2 JPAC and DPMO Strategic Planning**

2.7.2.1 After realignment and concurrently with a JPAC Strategic Planning Process, Share the recent DPMO Strategic Planning workgroup information with the JPAC and Accounting Community. Then restart the DPMO Strategic Plan. The DPMO's current draft mission, vision, values, core competencies, and Directors Intent will need to be refocused.

2.7.2.2 After realignment, initiate a JPAC Strategic Plan process that includes input from the Service Casualty Offices, AFDIL, and the DPMO. JPAC's current mission, vision, values, core competencies will need to be refocused based on the development of an accounting strategy by conflict and reorganization of Research and Analysis.

2.7.3 Accounting Strategy by Conflict

2.7.3.1 Develop an accounting performance strategy stratified by conflict that continuously adapts to maximize opportunities for identifications.

2.7.3.2 Align resources and priorities based on this strategy.

2.7.4 Process and Technology

2.7.4.1 Reengineer, develop performance measures, and resource efforts by conflict to more effectively manage case load.

2.7.4.2 Merge DPMO and JPAC supporting technology investments in order to achieve a single case management system that can be integrated with a single GIS solution. Ensure that the system is fully integrated after the research and analysis processes by conflict have been reengineered, such that all the research and analysis conflict requirements, investigative requirements, and expedition requirements are met.

For further details regarding the recommendations including areas that need to be addressed or considered as part of successfully implementing each recommendation, reference Appendix A of the report.

2.8 DCMO Project Return On Investment

The DCMO return on investment (ROI) for this effort was primarily to help the DPMO identify factors to increase significantly the capability and capacity to account for 200 missing by fiscal year 2015 from an average of less than 100 identifications per year the over the last 5 years.

2.8.1 Primary Measure:

In FY10, Congress amended subsection (f)(1) of section 1509 of title 10 under H.R. 2547-109 to direct the Department of Defense to increase significantly the capability and capacity to account for missing persons so that, beginning with the fiscal year 2015, the POW/MIA accounting community has sufficient resources to ensure that at least 200 missing persons are accounted for under the program annually.

2.8.2 Secondary Measure:

As a secondary measure, DCMO was able to pilot and facilitate the execution of a Continuous Performance Improvement Assessment. There were 62 responses from the 100+ employees. DPMO's current alignment score of 59% showed poor organizational alignment around Strategic Alignment, Integration, Productivity and Communication/Culture. The CPI assessment tool stratifies 18 factors that the organization can use to diagnose and develop organization improvement approaches.

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The following four tables show the percentage score on a scale of 100 and standard deviation of the responses. There were a wide range of responses provided, which can show significant variation (σ = the standard deviation) of the views among the staff who responded.

Strategic Alignment (59)

No.	Strategic Alignment Factors	Mean	σ
1	Strategy	53	30
2	People	55	30
3	Stakeholders	67	27
4	Leadership	59	30
5	Strategy to People	71	29
6	Strategic Outcomes	52	30

Communications/Culture (58)

No.	Culture/Communication Factors	Mean	σ
1	Co Workers	80	24
2	Collaboration	56	29
3	Communication	46	29
4	Culture	51	31

Productivity (54)

No.	Productivity	Mean	σ
1	Processes	65	27
2	Methods	43	25
3	Measurement	47	28
4	Efficiency	57	30
5	Innovation	50	29

Integration (66)

No.	Integration Factors	Mean	σ
1	Mission	50	28
2	Implementation	44	25
3	Supervision	79	28

Red = 0-55%
Yellow = 56-80%
Green = 80-100%

3. The Way Ahead

- Present findings to the process owner.
- Assist DPMO in developing improvement plan to identify critical actions for each of the six recommendations after GAO report in May/June 2013.
- Perform post-implementation CPI assessment / evaluation.

FOR OFFICIAL USE ONLY (FOUO)**Appendix A: Executive Summary of Findings and Recommendations****1. Organizational Realignment****Findings**

There are a number of overlapping functions of the DPMO with JPAC. The most significant of these is the core mission of research and analysis.

From a process integration focus, this has created significant issues related to entry and exit criteria between DPMO's research and analysis activities and the process areas of investigations and expeditions. The process maps, interviews, and CPI Assessment Tool indicate process performance issues within the processes and between organizations. For the most part, staff believe they know how to perform the research and analysis for their particular assigned conflicts. However, as noted above, there is no specific strategy to determine which cases to work. Priorities are often driven from external enquires, upcoming investigation or expedition schedules defined in the JPAC's operations plan.

Due to the nature of work at JPAC, there is interest in the investigative, expedition, and CIL work performed. As a result, there is a lot of very important people (VIP) traffic at JPAC. As a result, additional overlap exists in external affairs between DPMO and JPAC. Process mapping and interviews indicated case inquiries went to both JPAC and DPMO, though DPMO has been responsible for formal responses and coordination of congressional inquiries and communicating cases to families through the SCOs. In addition, it was discovered that the JPAC Commander routinely communicated with Congressional staff during FY11 and FY12 with one-on-one briefings that were not coordinated with DPMO. These briefings provided updates on cases, investigations, expeditions, and work of JPAC CIL.

Recommendations

"Realign the functions and staffing for the research and analysis mission, the investigative mission, the expedition mission, information technology, and external affairs of cases within JPAC. Also, reassign LSEL functions and responsibilities to the CIL within JPAC, including information resources managed by the LSEL mission."

During the second Purple Team meeting, the merging of research and analysis into a single organization to standardize the process was discussed and supported by portions of the team.

The CPI Program Office personnel had considered this option during the initial interviews and process mapping. However, the Purple Team discussed this on their own after briefings and reviews of process activities. The realignment of the DPMO and JPAC's research and analysis functions has the potential to resolve the significant silos between researchers, historians, and analysts that are apparent in process. In considering this recommendation, the realigned organization must consider a number of issues:

- How will cases be managed and assigned?
- Will there be different research and analysis performed by different individuals for a case or will one historian/research/analyst be responsible for all work for a case?
- How will the geographic issues of the DPMO and JPAC workforce be addressed?
- How will research materials be collected, organized, and managed?

The ultimate benefit of a single organization with complete research and analysis responsibility is that the priorities and resources can be fully managed and controlled. This would allow a single organization to:

- Develop an Stratified Accounting Strategy by Conflict
- Implement a Push-Pull: Research Analysis, Investigations, Expeditions, Identifications Process Methodology
- Direct and Manage Forwards Presence

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- More effectively utilize technology resources and build a case management suite of tools that is integrated with a GIS system.

In addition, this will resolve the financial budget alignment issues and provide more resources to rapidly expand the development of a complete case management database with reduced waste in duplicated investments by DPMO and JPAC in case management and Geospatial Information System (GIS) information technologies.

2. JPAC and DPMO Strategic Planning

Findings

Interviews, process mapping, and the CPI Assessment Tool identified that the DPMO's strategic planning appear fragmented and poorly aligned with Accounting Community Planning. Staff noted activities lacked DPMO staff collaboration, supporting objectives, supporting initiatives, or action plans linked to budget to effectively drive the mission strategically.

Staff at all levels noted strategic planning activities in the past have been created by a small group of DPMO leaders and support staff, and have excluded key DPMO functional leaders and staff. Members from the broader Accounting community have not been involved to help provide input to help integrate processes and technology across the Accounting Community.

Although prior strategic plans have existed, they were identified as incomplete and have not been communicated effectively to the staff or stakeholder community at large. This became public and more obvious during the DPMO strategic planning session when functional leaders commented they had never seen the plan. This was supported by one-on-one interviews, process mapping, and the CPI Assessment Tool.

Past strategic plan have lacked specific, measurable, actionable, relevant, and time bound objectives, measures and targets. DPMO staff noted that the objectives more closely resembled "vague and fluffy mission statements." Additionally, the objectives lacked measures and performance targets that could have been used to focus and drive DPMO's progress towards achieving its strategic objectives. Having measures and targets is essential to creating organizational alignment and an executable strategic plan.

Staff at all levels noted that the strategic plan was not reviewed periodically to ensure the organization was achieving its goals. Staff noted that periodic reviews and strategic course adjustments associated with most strategic planning and management processes did not occur.

DPMO's budgeting process and its outcome have mostly been unknown to the functional leaders and key stakeholders. Staff at all levels noted that the subsequent budget is not effectively communicated to the functional leaders or their staff, and therefore the staff have had limited knowledge of the financial performance or funds available to them to effectively plan or work toward strategic goals.

Recommendations

"After realignment and concurrently with a JPAC Strategic Planning Process, Share the recent DPMO Strategic Planning workgroup information with the JPAC and Accounting Community. Then restart the DPMO strategic planning process. The DPMO's current draft mission, vision, values, core competencies, and Directors Intent will need to be refocused."

"After realignment, initiate a JPAC strategic planning process that includes input from the Service Casualty Offices, AFDIL, and the DPMO. JPAC's current mission, vision, values, core competencies will need to be refocused based on the development of an accounting strategy by conflict. JPAC should review the DPMO developed mission, vision, values, and core competencies as a reference document."

During the period of review from the CPI Program Office, DPMO started to initiate a more collaborative process to develop a strategic plan. With realignment, both JPAC and DPMO should continue this process, including developing revised goals, objective, activities and actions plans to focus the budget for both organizations. The

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finance offices of both organizations should then align the JPAC and DPMO budgets to fund their respective strategic plans.

Specifically, they should make the strategic planning and budget process open and collaborative. Collaborate with the Accounting Community stakeholders, specifically JPAC, DPMO, AFDIL, and the SCOs. The leadership teams need to annually step back and evaluate, both internally and externally, how their organization are performing and identify and assess environmental conditions that can affect their missions, such as:

- Review External – identify, analyze and prioritizing the external factors that have the potential to influence JPAC and DPMO's performance and strategy the most over the next 3-5 years.
- Review Internal – review the aspects of the organization that JPAC and DPMO have control over. Formally document and manage internal operations. A thorough internal review should examine:
 - Achievement of current-year goals.
 - Key performance measure trends.
 - Stakeholder satisfaction: employees, accounting community, stakeholders, etc.
 - Financial condition and controls.
 - Information Technology.
 - Legal issues.
- Execute and evaluate the organizational CPI activities. This will allow for a longitudinal assessment of the organization that can assist the DASD, the JPAC Director, and senior leaders in both organizations in making organizational course corrections that effect strategy, integration, productivity and culture/communications. Recap SWOT – Strengths, Weaknesses, Opportunities, and Threats from the CPI Assessment Tool.
- Set individual "SMART" performance goals linked to activities and action plans of the strategic plan.

Annually, JPAC and DPMO should identify their purpose/mission statement to describe what JPAC and DPMO does, what it does for its customers and how. The mission statement is a broad description of what they do, with/for whom they do it, their distinctive competence, and WHY they do it, "the main thing."

Select the goals to accomplish mission – goals are general statements about what an organization needs to accomplish to meet the organization's purpose and mission, and address major issues facing the organization. The strategic goals should be the broad statements of what Accounting Community hopes to achieve in the next 3-5 years. The goals should focus on outcomes or results and are quantitative in nature and aligned with key processes. The goal statements should flow from some of the critical issue statements developed earlier in the planning process.

JPAC and DPMO need to develop objectives to accomplish each goal. Objectives are specific, concrete, measurable statements of what will be done to achieve a goal generally within a one-year time frame. The objectives need to answer to the following questions:

- Who will accomplish what, by when, and how will we measure the outcomes or results of the activity.
- Again, objectives need to be "SMART" specific, measurable, actionable, relevant and time bound – we'll do X over the next Y year(s).

JPAC and DPMO need to define measures – identify how progress against each objective is to be measured.

Picking the right measure is a critical responsibility because of how much the measure communicates about how to reach the objective.

JPAC and DPMO need to define targets – in setting targets, it's important to remember that if you set them too low you will stifle creativity and under-perform. Set them too high and your people are frustrated and set up for failure.

JPAC and DPMO need to define initiatives – identify the initiatives required to achieve each objective. A well-defined initiative is associated with an objective which is associated with a goal. To ensure the right initiatives are being selected, the team needs a complete understanding of each objectives intent, measures and targets. The main reason for placing the initiatives on the objective statement is to help everyone in the organization understand what the overall strategy is, and how a given target is going to be met.

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The strategic plan should drive the funding requirements, not visa-versa – as the team reviews all the initiatives, the team needs to make the appropriate funding allocations for each goal, objective and initiative, as needed. After the funding requirements have been established they need to be budgeted and communicated to the person accountable for completing the initiative.

JPAC and DPMO need to communicate the strategic plan – the finalized strategic plan needs to be communicated to Accounting Community. The Accounting Community functional leads in turn need to create objectives, measures, and targets that align directly to their own strategic plans.

To ensure the strategic plan's goals and objectives are being completed as intended, JPAC and DPMO need to develop a strategic plan governance model and communication and change management strategy. The strategic planning team needs to meet at regularly scheduled intervals to monitor the plans progress and make adjustments as required. Course corrections need to be understood with a root cause analysis and proposed correction. The organization needs to cultivate a learning environment where the organization learns from mistakes and adapts to the challenges with a positive organizational culture.

3. Accounting Strategy by Conflict

Findings

During the review of the DPMO, an underlying theme emerged. There were no annual performance objectives for POW/MIA personnel accounting. Neither the strategic plans of the DPMO or the Accounting Community over the past few years set mission targets for accounting.

During FY2011, JPAC had taken action to develop a capacity plan. That plan was not formally shared with DPMO until the 3rd quarter of FY2012. The lack of collaboration within the Accounting Community was reinforced during the interviews of Accounting Community staff, process mapping, and from the CPI Assessment Tool results. While DPMO is the only significant group that used the CPI Assessment Tool, interviews among the community painted a picture of distrust and poor morale within JPAC and DPMO and across the community at large.

The CPI Program Office started initially to map a high-level view of the process across the Accounting Community. The process started with management of the master list of the POW/MIAs through identification.

During the review, there was an undertone of conflict between DPMO and JPAC regarding research and analysis. There were few personnel who could articulate the overlap between the two organizations. What was identified by key staff was that DPMO has taken a more historical approach in research and analysis to developing cases, while JPAC has looked at recent findings from field investigations and expeditions. Then JPAC's CIL staff would construct a final case summary that could be used to substantiate an identification of a POW/MIA.

Due to the nature of the conflicts, the research and analysis processes for each conflict differed within the DPMO. The South East Asia research and analysis team was the most mature in managing case files. In addition to having the longest active mission, they had the most extensive use of information management technology. They had a complete database that was used among the staff and shared with JPAC. However, the other conflict research areas were not using this system. And the sharing of information with JPAC for other conflicts was more manual through semi-annual meetings.

This led to an understanding that in addition to no annual performance objectives for POW/MIA personnel accounting overall, performance standards by conflict was lacking.

Public and congressional inquiries for family updates seem to refocus work of the historians and researchers. This required DPMO researchers to create or update files based on recent information. Without a unified case management systems across the Accounting Community, DPMO researchers and historians have to request updates from JPAC. Often they try to perform additional research to add information to a case file. The summary report is then communicated to the Service Casualty Office to share with the family. Congressional inquiries are also coordinated via DPMO External Affairs.

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The JPAC Operations Plan is the Accounting Communities mission driver. On an annual basis, it defines investigative and expedition activities for the year ahead. This drives both JPAC and DPMO to update research and analysis of cases. The operation planning activities defines investigative and expedition criteria for cases. A review team of JPAC leaders reviews the cases and approve or deny cases for investigation or expedition. It was noted that sometimes cases are included in the operations plan if they are near another case geographically. Other times, cases are not included when the case seems strong enough.

Interestingly, both DPMO and JPAC staff noted that a key element of success for identification was the result of leads from local government or land owners who were involved with the conflict or who had come across evidence of a potential site. This came about as a result of field investigations or expeditions. Except for WWII investigative teams led by DPMO, JPAC has the lead for all other conflicts for conducting field investigative teams and expeditions.

During FY2011, JPAC CIL and JPAC Operations Planning staff reversed engineered many activities that occurred that led to identification by conflict. They then extrapolated out the number of activities that would need to occur to meet the capability to account for 200 POW/MIA personnel annually.

This potential reverse engineering approach was then used by JPAC to plan out the resources they would need to meet the capability target of 200 POW/MIA annual identifications. One major process concern with this approach is the lack of collaboration with DPMO, AFDIL, LSEL, and the Service Casualty Offices (SCO).

Another issue is the lack of accounting strategy by conflict, which affects research and analysis, as well as Accounting Community operations planning. Except for the more mature case management systems used for South East Asia research and analysis in DPMO, the other conflicts are lagging in having a basic technology support case management database system for each POW/MIA on the "Bodies Not Recovered" lists. Staff noted the Accounting Community has not collaborated in a manner that could allow tools from one organization to be adopted in another organization.

Finally, there are multiple lists by conflict for the POW/MIA personnel. The standards used to manage these list differ by conflict. Policy that addresses "unrecoverable notification decision, no further pursuit" is interpreted differently by conflict. As a result, cases are assigned where the opportunities to make a future identification are very low.

Recommendations

"JPAC should develop an accounting performance management strategy stratified by conflict that continuously adapts to maximize opportunities for identifications."

Moving forward, a major focus has to be to maximize the opportunities for identifications. In addition to the reengineered processes, a focus has to be one developing a unique strategy for each conflict. There are a number of political and constituent factors that need to be considered for each conflict. Each has unique research challenges, local and national political challenges, weather challenges, and vary in historical records and documentation available. In addition, ability to interview veterans and residents associated with conflicts varies. The subject matter experts for research and analysis, investigations, expeditions, and identifications need to collaborate to identify a strategy to maximize short term and longer term identifications. It is recommended that any identification that is more likely to lead to identification be worked immediately. Various approaches such as developing a historical record of battles could be mapped with records such as after-action reports to help develop broader investigations.

Likewise, JPAC needs to develop a more formal forward presence campaign to help identify sites. DPMO and JPAC staff continually noted that most identification where yielded with a local government or resident who could lead investigators to a site. If a coordinated set of locations could be developed from priorities set by defining a stratified and prioritized strategy for each conflict, then social media and public affairs communications could increase current reporting and leads. It is recommended that as part of the realignment that JPAC formalize a workgroup to direct and manage a forward presence to increase communication and collaboration with local government and residents. This activity should be focused however based on the stratified conflict strategy.

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Next, the researchers, historians, and analyst need to work with DPMO policy to develop a means to define and manage a single master POW/MIA list. DPMO needs to facilitate development of a more mature policy on deciding and stratifying those with an "unrecoverable notification decision, no further pursuit" or those for which this would be appropriate. This could allow researchers to focus on a smaller case load that is more likely to yield identifications. A taskforce is recommended to develop the policy and then coordinate the review of the master list for classifying and prioritizing cases. Open discussion with families and organizations representing families should be consulted develop stakeholder acceptance.

Finally, if there is a stratified plan by conflict, an action plan can be developed and coordinated to gather family genealogy and DNA references in a more structured approach. Ideally, much of this function could be managed by JPAC in coordination with the SCOs. This would allow more control over the research element and allow the SCOs to focus on family coordination and communications.

4. Process and Technology

Findings

A key finding was that DPMO's core mission processes were not well documented, well understood, standardized, measured, or communicated. Not having their processes mapped leads to variable non standard work that can't be measured, analyzed, or improved. A significant concern during the interview process was that the people within the workgroups couldn't specifically articulate the mission critical products or services provide. Common daily activities and tasks were confused with their key processes outputs. Additionally, the processes are not standardized with the equivalent JPAC processes.

A review of the technology used for the core mission function of research and analysis at DPMO had not been effectively utilized. Staff agreed that the Southeast Asia workgroup had the most robust toolset to manage personnel cases. It was surprising that the DPMO senior leadership had not worked to exploit this tool to support all of the other research and analysis conflict areas. Also, only a subset of the Southeast Asia case management system was made available for JPAC use.

Another useful tool that was being used within DPMO was the geospatial information system (GIS). However, JPAC also has invested in a GIS system that differs from DPMO. Where the focus of the DPMO system is research and analysis, the JPAC system is used to support research and analysis, as well as, investigation and expedition operations. It was explained that the DPMO's GIS system is not linked to the Southeast Asia case management system, creating additional silos between information sources.

Recommendations

"Reengineer core mission processes, developing performance measures, and resourcing by conflict the research and analysis processes to more effectively manage case load and the end-to-end research and analysis mission."

"Merge DPMO and JPAC supporting technology investments in order to achieve a single case management system that can be integrated with a single GIS solution. Ensure that the system is fully integrated after the process has been reengineered, such that all the research and analysis conflict requirements, investigative requirements, and expedition requirements are met."

As part of the realignment, the organizations should formally document all revised core processes and establish a metric and a measurement system to monitor outcomes of those process. A focus should be on factors that lead to identification.

As part of the process reengineering, the organization should consider engineering and implementing a Push-Pull process methodology:

- Research Analysis would use their stratified strategy by conflict to develop recommendations for investigations. These would be sent (pushed) to a data warehouse with GIS data.

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- Personnel performing a role with a forward presence and investigation teams would pull from this investigation leads database to develop investigative action and plan. Outcomes from investigations would update the database.
- Expedition planning would pull from the database to develop expedition plans. Updates from active research and analysis or investigation could be continuous accessible to expedition teams. This could the push the research focus toward more promising cases.

Ultimately for a push-pull process approach to work, the organization needs to maximize information technology investments to develop a single case management database system, integrated with the GIS system. Merging core mission information technology systems and staff would allow the realigned organization to maximize information technology investments.

An updated approach to manage family updates needs to be developed. Ideally, if a single managed list of POW/MIA status is maintained and is part of the integrated case management system, then an interface could be developed for SCO personnel to get the latest available information. Ultimately, SCO could authenticate access to a family account and updates anytime action was taken on a case and releasable for family consumption.

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APPENDIX B

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APPENDIX E

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FOR OFFICIAL USE ONLY (FOUO)**APPENDIX D****DPMO Strategic Planning Outcomes:****DPMO's Revised Draft Mission Statement:**

"We lead the national effort to account for our missing DoD personnel and to inform their families and the public."

DPMO's Revised Draft Vision Statement:

"Achieve the fullest possible accounting for our missing. Leave no missing personnel behind in future conflicts. A unified accounting community. Fully informed and engaged families and public."

DPMO's Revised Draft Core Values:

"Dedication: We make the promise a reality. Integrity: We do the right thing. Open Communications: We build and foster trust with all. Compassion: We honor the sacrifices of our missing and their families."

DPMO's Draft Core Competencies And Mission Support:***Policy, Control, Oversight, and Strategy***

- *Personnel Accounting*
- *Personnel Recovery*
- *DoD Support To Civil Search and Rescue*

Negotiations

- *Foreign governments for initial and sustained access*
- *Intra-USG coordination*

Field Activities

- *Research, Analysis, and Investigations*
- *Communications and Outreach*
- *Declassification and Review*
- *Moscow Office Operations*

DoD Support to the U.S. Side of the USRJC**Director, DPMO Priorities:**

1. *Lead the SECDEF development of a comprehensive, coordinated, integrated, and fully resourced program to increase and sustain the capability and capacity to reach the goal of accounting for 200 missing persons annually*
 - *Develop a cohesive team within the Accounting Community.*
 - *Enhance research, analysis, and investigative capacity and capability.*
 - *Establish a personnel file for each missing person readily accessible within the DoD.*
 - *Modernize and integrate communications to foster information sharing.*
2. *Ensure effective key leader engagement*
 - *Build relationships with private sector partners.*
 - *Implement personnel accounting and personnel recovery policies.*
3. *Strengthen DoD support to the U.S. side of the U.S.-Russia Joint Commission on POW/MLAs.*
4. *Develop and implement a DPMO Human Capital Strategy.*
5. *Sustain the strong outreach program.*

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The enclosed deliberative document contains information exempt from the disclosure provisions of the Freedom of Information Act (5 U.S.C. § 552). The Department of Defense provides the document with a full reservation of rights and with the understanding and intent that providing the material shall not be deemed a waiver of any applicable privilege. The Department respectfully requests that the document be shared only within the Senate Homeland Security and Government Affairs Committee and then only with those who have an official need for the information, that the document not be disclosed outside the Committee or to the public, that appropriate steps be taken to safeguard these document, and that the document be destroyed after use. This document is marked For Official Use Only." Privacy Act exempted materials have been redacted.

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**Post-Hearing Questions for the Record
Submitted to Major General McKeague
From Senator Claire McCaskill**

**“Mismanagement of POW/MIA Accounting”
August 1, 2013**

1. Question. For Vietnam missing persons, remains are categorized as "further pursuit", which refers to missing persons for whom there's enough information to continue efforts towards a recovery, "no further pursuit", which means there is enough information to stop efforts towards recover, or "deferred", which means there isn't enough information to make a decision.-For Vietnam POW/MIAs, please provide the number of personnel who are categorized as "no further pursuit" and "deferred".

Answer. The Defense Prisoner of War Missing Personnel Office (DPMO) manages the official statistics for unaccounted-for servicemen on behalf of the Accounting Community. As reported on their website, 631 Vietnam War servicemen are included in the "No Further Pursuit" category and 91 are in the "Deferred" category as of June 20, 2013. These determinations are established collaboratively during quarterly casualty coordination conferences between DPMO, the Joint POW/MIA Accounting Command, and other members of the Accounting Community. The respective category may change when new information is received or when progress is made on a case. The next casualty coordination conference is tentatively scheduled in December 2013/January 2014.

2. Question. According to Department of Defense numbers approximately 6,000 missing personnel are in North Korea.- Have missing personnel from Korea been categorized similarly to Vietnam missing personnel?- Do we have an estimated number of missing from Korea that are recoverable? Of those, how many would require disinterment?

Answer. The categorization of unaccounted-for personnel from the Vietnam War is not used for unaccounted-for service members from the Korean War. The Defense Prisoner of War Missing Personnel Office (DPMO) manages the official statistics for unaccounted-for servicemen on behalf of the Accounting Community. As of August 15, 2013, DPMO estimates that of the current 7,907 Korean War servicemen who are unaccounted-for, there are 5,455 individuals whose remains may possibly be recovered.

The Joint POW/MIA Accounting Command (JPAC) estimates that the remains of up to 5,000 of the 7,907 total unaccounted-for lie north of the DMZ in the Democratic People's Republic of Korea (DPRK). JPAC has conducted recovery operations in North Korea in the past (the last being in 2005), and maintains a "be prepared to" posture so as to expeditiously resume recovery operations should access be granted in the future.

In addition, there are currently 801 caskets containing the remains of Unknown servicemen from the Korean War buried at the National Memorial Cemetery of the Pacific (NMCP, and also known as the Punchbowl). There is also one casket which rests at Arlington National Cemetery in the Tomb of the Unknown Soldier, the remains of which originated from the Republic of Korea. JPAC (and its predecessor organization) have disinterred 65 Korean War caskets from

the NMCP containing remains representing 69 individuals, and has made 38 identifications to date.

3. Question. Please provide a copy of JPAC guidelines regarding the protocol for determining when to notify a family that a POW/MIA is unrecoverable.

Answer. The Joint POW/MIA Accounting Command (JPAC) does not have the authority to establish the recoverable/unrecoverable status of an individual, so we do not have a protocol for this process.

We do have the authority to close specific sites associated with a given case. The JPAC Commander can close a recovery site for compelling safety or limiting operational reasons. In addition, the JPAC Recovery Leader (an anthropologist from the Central Identification Laboratory who is responsible for the site excavation) can close a site when, in the Recovery Leader's scientific judgment, the site has been excavated to its reasonable limits. JPAC may only close the site, not the case. In other words, JPAC can determine that a specific location does not warrant further excavation, but the case remains "open" and the overall status of the individual remains unaccounted-for.

4. Question. Please provide a copy of JPAC's current guidelines regarding the approval of field missions.

Answer. Current guidelines regarding the approval of field missions are codified in sections 10.5 and 10.6 of the Joint POW/MIA Accounting Command's (JPAC) Standard Operating Procedure (SOP) document, dated October 26, 2011. The attachment entitled "SHSGAC-03-007_OpsGuidelines.pdf" provides an excerpt of those relevant sections from the JPAC SOP.

5. Question. Please detail how the number of JPAC's field missions resulted in enough recoveries to support JPAC's second laboratory in Omaha, Nebraska.

Answer. The decision to stand-up the Joint POW/MIA Accounting Command's (JPAC) laboratory annex at Offutt Air Force Base (AFB), Nebraska, was primarily driven by the NDAA 2010 requirement to build the capability and capacity to be able to identify a minimum of 200 individuals annually by Fiscal Year (FY) 2015. Although it was not directly tied to the number of field missions to be performed, JPAC's planned and programmed capacity growth did project deploying teams increasing from 24 to 34.

Currently, JPAC is averaging approximately 77 identifications annually. In order to increase capacity and capability to achieve a minimum of 200 annual identifications, JPAC's Central Identification Laboratory (CIL) would need to more than double both its scientific and lab-support staff as well as its physical laboratory space. While the JPAC facility currently under construction in Hawaii (FY2010 Military Construction Program) will provide an increase in analytical space, the building was designed prior to the FY2010 legislation and will not accommodate the required demand.

A laboratory annex in the Continental U.S. (CONUS) was also viewed to offer Information Technology Continuity of Operations Plan (COOP) benefits and as a means of mitigation in the CIL's challenges to recruit and retain trained scientists. First noted in a 1991

Government Accountability Office study of the lab, Hawaii's professional and geographic isolation does impede attracting and sustaining scientific talent. Exit interviews with departing scientific staff suggested that a CONUS facility, located in an area with moderate cost-of-living and quality university-level institutions, was desirable. After an analysis of basing alternatives, Offutt AFB was determined to meet all of the search criteria; with space available for renovation at a reasonable cost; a high degree of community support by the Offutt and Omaha communities, to include several universities.

6. Question. A large portion of JPAC's workforce is comprised of ORISE fellows. - Please provide a copy of JPAC's guidelines regarding the hiring of ORISE fellows.

Answer. The total number of personnel at the Joint POW/MIA Accounting Command (JPAC) is 584, of which 259 are civilians. Of that number, only 48 (8% of the total workforce and 18% of the civilian workforce) are full-time Oak Ridge Institute for Science and Education (ORISE) fellows.

The attachment entitled "SHSGAC-03-009-QFR_oriseprogram" describes the ORISE Program's eligibility features. All participants must abide by these guidelines to be in the program. The attachment "SHSGAC-03-009-QFR_JPACProposal.pdf" is a copy of the JPAC/ ORISE proposal, which details the program's requirements, functions and goals.

Once a position is advertised through the ORISE portal, eligible applicants can apply for the fellowship. An ORISE recruiter filters out applicants that do not meet minimum standards (based on the appointment qualifications) and forwards the approved applicants to JPAC for selection. The Central Identification Lab Director then selects the approved individuals based on the applicant's qualifications, as well as evaluations and recommendations of the lab managers

Exceptions can be made, but only with JPAC approval and concurrence from Oak Ridge Associated Universities, the program's administrators.

7. Question. A large portion of JPAC's workforce is comprised of ORISE fellows.-For the last five years, please provide the total annual amount that JPAC has paid to the ORISE program. Please break down this amount to separate administrative costs from the amount that each JPAC ORISE fellow receives as a stipend.

Answer. The total number of personnel at the Joint POW/MIA Accounting Command (JPAC) is 584, of which 259 are civilians. Of that number, only 48 (or 8% of the total workforce and 18% of the civilian workforce) are full-time Oak Ridge Institute for Science and Education (ORISE) fellows.

In this table, the information is broken out to delineate administrative costs by ORISE participant, particularly the aggregate "Burdens plus FAC." JPAC budgets at 18% per the agreement for overhead costs per participant. If participants do not use the full 18% burden, funds are moved back to JPAC at the end of the FY. The FY2013 overhead rates are coming under that amount and have averaged at just over 14%. Participants are paid a stipend, but there are no other fringe benefits (i.e. cost of living adjustments [COLA], medical, retirement, etc.) paid.

Table 1: Program cost summary for FY 2008-2013 provided by ORISE. JPAC does not track financial data, as this is managed by the ORISE program.

Fiscal Year	Stipend	Travel Foreign Participants	Travel Participant	Tuition & Fees	Other Participant Costs	Burdens Plus FAC	Total Participant Costs	Total Participants (FT= Full Time ST= Short Term)
FY 2008	820,402	-	3,253	-	14,539	146,910	985,103	27 (23 FT/4 ST)
FY 2009	1,105,257	-	3,679	-	33,858	186,566	1,329,360	33 (22 FT/11 ST)
FY 2010	1,127,746	17,056	12,175	2,100	48,427	191,396	1,398,900	36 (28 FT/8 ST)
FY 2011	1,384,211	1,506	97,095	-	33,000	224,105	1,739,917	49 (30 FT/19 ST)
FY 2012	2,139,838	26,740	91,021	-	42,613	461,417	2,761,628	64 (42 FT/22 ST)
FY 2013	1,992,800	22,326	177,681	-	100,404	236,529	2,529,740	77 (48 FT/29 ST)

For FY2013, the total overhead costs for ORISE participants averaged 14.65%, as follows:

- Office 1.35%
- Operations (Ops) 2.60%
- General & Administrative (G&A) 5.75%
- Fee .45%
- Safeguards and Security Tax (SST) 1.50%
- Federal Administrative Charge 3.00%
 - (As mandated by Section 3137 of the Strom Thurmond National Defense Authorization Action of 1999 (Public Law 105-261))

JPAC uses 30% as a planning factor for overhead administrative costs for federal civil service employees. However, the budgeting factor is much higher for forensic anthropologist positions as noted below.

- Series 0190 Forensic Anthropologist
 - Salary includes Supplement of 36.51%
 - COLA is 12.25%

Other benefits paid to federal employees such as medical, Thrift Savings Plan, and retirement costs vary depending on the employee's elected level of benefits. JPAC financial manager uses an average of elected benefits to be just under \$1,000 per employee.

8. Question. A large portion of JPAC's workforce is comprised of ORISE fellows.- How many ORISE fellows have been extended past the 5 year deadline since JPAC began participating in the program.

Answer. The total number of personnel at the Joint POW/MIA Accounting Command (JPAC) is 584, of which 259 are civilians. Of that number, only 48 (or 8% of the total workforce and 18% of the civilian workforce) are full-time Oak Ridge Oak Ridge Institute for Science and Education (ORISE) Fellows.

ORISE Fellows typically fulfill an appointment of 3 years at JPAC. The average appointment over the life of the program is 1.34 years, including all summer Fellows and visiting faculty.

There have not been any ORISE Fellows extended beyond the 5-year maximum period established by ORISE. Only one Fellow is anticipated to meet, but not exceed, the 5-year maximum when the participant's current term is complete in 2014.

9. Question. The GAO report was very critical of the dysfunctional, inefficient, and duplicative relationship between CIL and LSEL.-Please provide a breakdown of responsibilities between CIL and LSEL and where those responsibilities intersect when CIL and LSEL work together.

Answer. The Joint POW/MIA Accounting Command (JPAC) has critical Life Support Equipment (LSE) requirements which are fulfilled organically by 8 Life-Support Investigators (LSI) assigned to the Central Identification Lab (CIL)--4 active-duty military and 4 civilians who are also retired military. All 8 are formally trained in LSE recognition and maintenance, and all have exposure to legacy aircraft systems.

The primary role of JPAC LSIs is to assist JPAC teams in the recovery of aircraft crash sites. The LSI on a recovery team makes the field assessments of LSE that assist the JPAC Recovery Leader in directing the site excavation. Additionally, the LSIs select which items of LSE to bring back for further analysis. At the CIL, the JPAC LSIs sort, document, and analyze the material evidence to determine such information as the type of aircraft represented and the time frame of the loss. This analysis, typically completed within two weeks of returning from the site, provides feedback to JPAC planners and scientists in a timely manner and facilitates planning of future operations.

Following analysis by JPAC LSIs, all LSE from the Vietnam War is sent to the Life Science Equipment Laboratory (LSEL). Materials submitted to the LSEL may be given a priority status based on the projected timeline for remains identification. Cases not assigned a priority status can be worked at LSEL's discretion.

The primary responsibility of LSEL is to conduct analysis of LSE recovered from U.S. aircraft crash sites in Southeast Asia. The information LSEL generates from the material evidence serves to determine:

- a. How many individuals, if any, were aboard the aircraft at the time of the crash.
- b. If the aircrew members on board the aircraft could have survived the crash.
- c. If the recovered LSE is consistent with the particular U.S. military branch issue, aircraft, and time period associated with the presumed case.

Once the analysis is completed, LSEL produces and provides to the JPAC CIL a final report of findings. LSEL also develops and provides legacy aircraft training courses for JPAC LSIs and LSI augmentees.

10. Question. Although JPAC's budget requests and appropriations for the last five years have skyrocketed, the number of identifications has not similarly increased.-Please provide a breakdown of costs for a few representative missions where there are actually recoveries and identifications. Please detail how much of the cost is travel, logistics, and analysis.

Answer. The Joint POW/MIA Accounting Command's incremental growth, beginning in Fiscal Year (FY) 2012 as provided through DoD Resource Management Decision (RMD) 700C was programmed to increase capability and capacity as directed in the FY2010 NDAA. However, subsequent budget decisions within DoD, the Department of the Navy, and U.S. Pacific Command have hindered realization of those resource increases, as noted in Table 1.

Table 2: JPAC Funding Levels (Past 5 Years)

	FY09	FY10	FY11	FY12	FY13
RMD700C	N/A	N/A	N/A	\$102.7M	\$130.0M
Actual/ Projected	\$53.3M	\$65.0M	\$66.5M	\$97.9M	\$89.3M
Delta (Shortfall)	N/A	N/A	N/A	\$(4.8M)	\$(40.7M)

Funding details for four JPAC cases which yielded identifications from field operations are depicted in the following tables. Since JPAC only maintains financial records for the past five years, so as to present a more balanced representation of the cost variance for missions, the tables portray two categories of cases. The first category represents cases for which the field operation and identification phases occurred within five or fewer years of each other. The second category represents cases for which multiple field missions over several years were required to locate the site, resulting in a field operations to identification period which spans more than five years.

Of the four cases presented, two are from the Vietnam War and two are from World War II. Korean War cases were excluded from this cost breakdown because JPAC has not had access to North Korea (where most of the unaccounted-for remains are located) in the last five years.

Table 3: Vietnam Case 1645 (Category 1) involves a 3-person Group Remains identification, which was also the first identification for one of the 3 individuals represented. The other 2 individuals in this group had been previously accounted for. This example represents a case for which the recovery and identification period spans less than 5 years. Some of the cost estimates (*) represented in this table include costs derived by approximating one recovery team's share of larger annual sums.

VIETNAM CASE 1645, 2012 RECOVERY MISSION COST ESTIMATES	
TRAVEL/PER DIEM:	\$ 62,267
HOST NATION EXPENSES (LABOR, OVERHEAD, CONTRACTS, FEES, LAND COMPENSATION)	\$ 284,286*
SUPPLY/SERVICES:	\$ 3,748

HELICOPTER SUPPORT:	\$ 207,656*
TOTAL (2012 RECOVERY MISSION):	\$ 557,957

* Contains some fixed costs representing estimated share for one team based on portion of larger annual sums.

Table 4: Laos Case 0222 (Category 2) involves 6 individuals. This example represents a case for which the recovery and identification period spanned more than 5 years in with field operations in 2001, 2010, 2011 (3 missions). Fixed cost estimates (*) used in this table were derived by estimating one recovery team's share of annual lump sum amounts. Cost for prior-year missions estimated by subtracting the 2.5% Discount Rate from the 2011 mission cost for each year. Annual helicopter cost increases, while included in the above totals, typically exceeded 2.5% each year.

LAOS CASE 0222, 2011 RECOVERY MISSION COST ESTIMATES	
TRAVEL/PER DIEM:	\$ 48,000
HOST NATION (LABOR, OVERHEAD, CONTRACTS, FEES, LAND COMPENSATION etc.):	\$ 118,000*
SUPPLY/SERVICES:	\$ 36,700
HELICOPTER SUPPORT:	\$ 308,750*
TOTAL (One 2011 Recovery Mission):	\$ 511,450*
ESTIMATE FOR ALL 5 RECOVERY MISSIONS	\$2,440,248**

* Contains some fixed costs representing estimated share for one team based on portion of larger annual sums.

**Cost for prior-year missions estimated by subtracting the 2.5% Discount Rate from the 2011 mission cost successively for each prior year. Annual helicopter cost increases, while included in the above totals, typically exceed 2.5% each year.

11. Question. The Subcommittee has heard numerous workplace complaints regarding JPAC's management, including complaints of sexual harassment and discrimination.-Please provide the number of workplace complaints filed against JPAC in the last decade, including Equal Employment Opportunity and whistleblower retaliation complaints. Please also indicate how many are currently outstanding.

Answer. The Joint POW/MIA Accounting Command (JPAC) was established on October 1, 2003, and the earliest record of an EEO complaint was in 2005. JPAC does not have comprehensive records documenting complaints/investigations filed with the PACOM Inspector General (IG) or Department of the Navy Human Resources etc. The totals below represent the complaints made since 2005, of which JPAC is aware. The number of current/outstanding investigations is 7 EEO, 1 whistleblower, and 2 DoD IG.

a. Formal Equal Employment Opportunity (EEO): EEO complaints cover only civilian employees. These complaints often take over a year to investigate and resolve. The investigations are conducted by the Department of the Navy and the Joint POW/MIA Accounting Command (JPAC) does not control the pace of the investigation nor subsequent processing. Since 2005 formal complaints:

- 12 complaints
- 7 under investigation
- 5 closed

b. 1 Equal Opportunity (EO): EO is the military version of EEO

- 1 case, resolution: not substantiated.

c. Whistleblower: The Office of Special Counsel investigates whistleblower complaints. JPAC has one such investigation that was just commenced.

- 1 case just commenced and is being investigated

d. Grievances: Specific type of management complaint under Navy regulation.

- 4 involving 3 individuals and one group. Two individual grievance resolved by management action and one individual and the group grievance was found improperly filed (both later filed as IG complaints and resolved)

e. Department of Defense (DOD) IG Complaints: The DOD IG has jurisdiction over only certain types of complaints and do not provide JPAC visibility or status.

- 2 being investigated

f. Other: 1 ethics complaint against JPAC's Central Identification Laboratory, resolved, no violation substantiated.

MARYLAND OFFICE PROGRAM FEATURES

(Quick Reference Guide)

PROGRAM LEVELS	OPTIONS & ELIGIBILITY	APPOINTMENT PERIOD
K-12 (Students)	Internships Workshops, Summer Camps <ul style="list-style-type: none"> • Good standing in a U.S. high school • Cumulative GPA of 2.5 or higher • minimum age is 16 	<p>Research appointments are normally made during the summer/semester breaks (about 3 months during the summer, and 1-month during the winter)</p>
K-12 (Teachers)	Workshops, Summer Research Appointments (see Faculty for additional information)	<p>Workshops can be held year round during semester breaks. Research appointments are normally during the summer</p>
Students (Undergraduate (includes students pursuing an Associates degree), Graduate Students Pre-doctoral Students)	Research Appointments <ul style="list-style-type: none"> • Must be in good standing at an accredited college, university, or technical institute, pursuing an associate, baccalaureate, graduate degree, or approved certificate program. • Cumulative GPA of 2.5 or higher (based on a 4.0 scale) • Taking a minimum of 12 credit hours per academic year. 	<p>Student appointments are generally for 10 to 12 weeks during the summer; appointments during the academic year are also available. Student appointments may continue as long as eligibility requirements are satisfied. Part-time appointments can also be made.</p>
Postgraduates (Associates, Bachelor's, Master's, Doctorate)	Research Appointments <ul style="list-style-type: none"> • Must have received a degree (associate, bachelor's, master's, or doctorate) in an appropriate science or related discipline within five years of the desired starting date 	<p>Postgraduate (Associates, Bachelor's, Master's degree) appointments are typically for one year, renewable for up to three additional years upon recommendation of the host facility. (Total of up to 4 years in the program)</p>
Certificate	Research Appointments <ul style="list-style-type: none"> • Holds a bachelor's degree or higher • Complements higher degree • Certificate required a minimum 30 semester credit hours 	<p>Postdoctoral appointments are normally for one year, renewable for up to four additional years (Total of up to 5 years in the program)</p> <p>The Appointment period for the certificate program is the same as the student program if they are pursuing a certificate. If they recently received the certificate, the appointment period is the same as the postgraduate program.</p>

PROGRAM LEVELS	OPTIONS & ELIGIBILITY	APPOINTMENT PERIOD
Faculty	Research Appointments <ul style="list-style-type: none"> • Full-time precollege teacher at an accredited U.S. public or private school • Full-time faculty member at an accredited U.S. college or university. 	Faculty appointments are generally for 10 to 12 weeks during the summer ; appointments during the academic year are also available
Visiting Scientists	Short term visits <ul style="list-style-type: none"> • Short-term research visits for collaborative research that is related to ongoing research mission. • Guest lecturers may be full-time faculty members and graduate students from U.S. colleges and universities, researchers from the private sector, or retired scientists. • Visiting scientists and guest lecturers are considered on a case-by-case basis. 	less than 2 weeks
Senior Researchers	Retired Scientist Appointments The Knowledge Preservation Program is designed to help the facility avoid critical shortages in technical expertise by pairing retired federal affiliated personnel with postdocs, junior researchers, and other staff in order to preserve the knowledge that is critical to meet the U.S. and the Program Facility's current and future program commitment.	Up to 5 years. Can participate part-time or full-time.
Other Options	<ul style="list-style-type: none"> • Have knowledge that is critical to meet the current and future needs of the U.S. and the Program Facility. • Retired Federal affiliated personnel 	
Support/Benefits Options	Other applicants, programs, and projects in new training activities, are considered on a case-by-case basis. Sabbatical Leave Appointments, Stipend Payments, Relocations, Dislocation Payments, Cash Awards, Travel & Training Support, Health Insurance Option, Workshop/Training Seminar Development.	Appointment Period will be determined on a case by case basis.

**PROPOSAL FOR THE
RESEARCH PARTICIPATION PROGRAM
JOINT PACIFIC ACCOUNTING COMMAND**

INTRODUCTION

The Research Participation Program for the Joint Pacific Accounting Command (JPAC), will provide opportunities for members of the academic community [i.e., postdoctoral fellows, postgraduate interns (masters, bachelors, and associate degree recipients), students (high school through graduate school), faculty members, and visiting scientists] to participate in clinical research and other programs, projects and activities approved by JPAC in various directorates under the Command. Appointments are tenable at laboratories approved by JPAC.

The Oak Ridge Institute for Science and Education (ORISE) will administer the program for JPAC. ORISE is operated by Oak Ridge Associated Universities (ORAU), a contractor for the U.S. Department of Energy (DOE) and a university consortium leveraging the strength of major research institutions in science and education partnerships with government agencies and private industry. This program is modeled after other academic programs currently administered by ORISE for DOE and other government agencies, including programs for several DoD organizations.

The Research Participation Program for JPAC is designed to provide a flow of scientists and researchers into approved laboratories to participate in current research and development activities. In addition, the program will link JPAC's technologies with the capabilities of the academic community. By supporting this program, JPAC will enhance the educational programs offered by academic institutions, strengthen the scientific and technical manpower base, transfers its knowledge and technology to the academic community, and support a growing national commitment to science education.

PROGRAM OBJECTIVE

The objective of the ORISE Research Participation/Science Education Program is to enhance the quantity, quality, and diversity of the future scientific and engineering (S&E) workforce and to increase the scientific and technical literacy of the U.S. citizenry. This objective addresses concerns expressed over the last several decades about the need for increasing the number of undergraduate and graduate degrees earned in science, engineering, mathematics, and technical fields, and the need for improving science education at all levels of schooling. The objective includes administering research participation/science education programs sponsored by various federal agencies that will help increase the future workforce in scientific and technical fields specific to needs of those agencies.

Many federal agencies currently have an aging scientific and technical workforce with relatively high percentages eligible to retire over the next several years. As noted by the Office of Personnel Management in their 2001 web report on retirement statistics, "Based on our best predictions now, the retirement wave will not be violent and sudden, but rather a prolonged, manageable wave of increasing retirements. . . . With timely planning, agencies will assure that retirement growth is not a strategic threat, but rather a strategic opportunity to bring new diversity and skills into their work forces."

The continued need to increase the number of U.S. students studying science and engineering was addressed in the National Science Foundation's Science and Engineering Indicators, 2004. This is so largely because of the increased rise in S&E workforce opportunities abroad that draw U.S. educated foreign nationals back home, educational attainment opportunities outside of the U.S. that further erode the number of foreign nationals that study and hold postgraduate positions in the U.S., and the continuing trend of baby boomers leaving the workforce for retirement. The report noted that since 1980, the number of scientific and engineering positions in the U.S. economy had grown four times faster than the total number of civilian jobs but the growth rate of S&E degrees earned was less than the growth rate in S&E job positions. Moreover, as stated in Indicators, while the number of S&E doctorates awarded by U.S. academic institutions reached a new peak of almost 30,000 in 2005, "virtually all of the growth reflected higher numbers of S&E doctorates earned by temporary Visa holders," a heightened global competition for foreign students, resulting in a decline in the U.S. share in recent years.

The Department of Energy has recently also addressed the need to increase the number of students in science and engineering fields and to enhance science education. In a speech to the high school student participants in the 2005 National Science Bowl, the Director of the DOE Office of Science expressed the continuing need for DOE and the nation to support efforts to stimulate and educate students in science and engineering fields. He stated "Our [DOE] self-interest demands that we help develop scientific talent" and that our nation cannot survive "...without encouraging that inner desire to know what is science." Furthermore, he noted that research participation programs at DOE laboratories "... help hone the skills of the budding scientist. . . ."

Moreover, the report "Building a 21st Century Workforce" (in the DOE, Office of Science Occasional Papers, Fall 2002) pointed out that "Our Nation is failing to produce both a scientifically literate citizenry and the kind of workforce we will need in the 21st Century." The report quotes from the U.S. Commission on National Security in the 21st Century which stated, "inadequacies of our systems of research and education pose a greater threat to U.S. national security over the next quarter century than any potential conventional war that we might imagine." Also, the report notes that "... the National Commission on Science and Mathematics Teaching pointed out, [that] teacher preparation stands out as both a major contributing factor and something for which all scientific institutions can play a role in solving."

a. Under the Presidential Executive Order *Facilitating Access to Science and Technology* dated April 10, 1987, federal agencies are directed to initiate programs to ensure that universities and the private sector are provided access to federally funded research, development, and related activities. The intent of the effort is to broaden the U.S. technology base by moving state-of-the-art technology from the federal laboratories into the academic and private sectors in order to encourage the development of new products and processes.

b. Under Presidential Executive Order No. 12821, *Improving Mathematics and Science Education in Support of the National Education Goals*, dated November 16, 1992, all executive departments and agencies that have a scientific mission and employ significant numbers of scientists, mathematicians, and engineers are directed to establish training and educational programs to advance science and mathematics to meet the National Education Goals. The Executive Order specifically mentions the Department of Energy and encourages it to help in the development of these programs.

c. The National Science and Technology Council (NSTC), formerly called the Committee on Education and Human Resources of the Federal Coordinating Council for Science, Engineering, and Technology, points out in its June 1993 report, *Where Now, What Next*, that although some important steps have been taken, federal agencies currently are not working together to do all they can and must do to reverse the *rising tide of mediocrity* in education. Clearly, federal agencies are mandated to establish programs to advance educational activities in coordination and cooperation with other federal agencies.

d. In a more recent NSTC report entitled *Investing in Our Future* the ongoing programs in training and education by DOE are summarized. It is indicated that "opportunities will be provided for K-12 mathematics and science teachers and students to participate in summer research and learning experiences at DOE's laboratories. Similar opportunities will be available for undergraduate and graduate students, postdoctoral researchers, and faculty members. "These activities include the ORISE participation program, and DOE has indicated a willingness to assist other federal agencies to establish similar programs involving other federal agency facilities.

e. Under the *Department of Energy Science Education Enhancement Act* and the *National Defense Science and Engineering Education Act*, both of which are a part of the 1991 *National Defense Authorization Act*, federal agencies are directed to initiate programs that improve education in science, mathematics, and engineering. The intent of the effort is to expand the pool of scientists and engineers to meet long-term national needs for personnel who are proficient in such skills.

APPROACH

The Research Participation Program for JPAC will provide opportunities for academic personnel to participate in ongoing research activities at approved laboratories. The participants may be located at Hickham Air Force Base in Hawaii, and at other JPAC

affiliated U.S. locations, or JPAC affiliated locations outside the U.S. ORISE will be responsible for the administration of this program under an agreement between DOE and the JPAC.

ORISE will conduct advertising and recruiting in order to increase awareness of the client's programs to potential participants and other stakeholders. The advertising and recruiting efforts that ORAU/ORISE will conduct on the client's behalf include, but are not limited to, the development and duplication of brochures, promotional items bearing the client's logo or other symbols or information highlighting the client's programs, videos, handouts, and magazines, as well as, attending and hosting exhibits at career fairs, trade shows and professional meetings. Also included is developing and placing advertisements in magazines, newspapers, radio, and the internet as well as any other form of media requested by the client. This includes all staff time and wages towards these activities, as well as, all costs necessary to perform the activities listed. These materials will contain information about JPAC participating laboratories and their ongoing research and development programs, projects, and activities. A recruitment strategy will be developed to target recent graduates, students, faculty who have backgrounds and experience in the JPAC's areas of concern. Special efforts are made to recruit women, minorities, and others who are under-represented in science and chemistry fields. The proposed postdoctoral fellow, postgraduate, student, and faculty programs will be based on similar programs administered by ORISE for DOE and other government agencies. Some of the specific features of the programs are outlined below.

1. Eligibility:

a. An applicant for a student appointment must be in good standing at an accredited U.S. high school, college, university, or technical institute, and in an academic program leading to a high school diploma, or an associate, baccalaureate, graduate degree, or approved certificate program. Student applicants should have a cumulative grade point average of 2.5 or higher (based on a 4.0 scale) from institutions of higher education; and taking a minimum of twelve credit hours per academic year. The minimum age for the student program is 16.

b. An applicant for the Postgraduate component must have received a college degree (associate, bachelor's, master's, or doctorate) in an appropriate science or related discipline within five years of the desired starting date

c. An applicant for a faculty appointment must be a full-time precollege teacher at an accredited U.S. public or private school, or a full-time faculty member at an accredited U.S. college or university.

d. An applicant who is currently pursuing, or has received within one year of their start date, a certificate in an appropriate science, engineering, or technology discipline are eligible for an appointment. The certificate is related to or complements prior degree (bachelor degree or higher); is offered by an accredited academic institution; and required a minimum of 30 semester credit hours or the equivalent. This initiative

encourages continued education, while studying new technologies and supplements the individuals' existing degree.

e. The Knowledge Preservation Program is designed to help the facility avoid critical shortages in technical expertise by pairing retired federal affiliated personnel with postdocs, junior researchers, and other staff in order to preserve the knowledge that is critical to meet the U.S. JPAC's current and future program commitment. The program takes mentoring in a new direction by having senior staff groom junior researchers for future career development and by serving the primary purpose to preserve and transfer knowledge rather than simply educate the one being mentored.

f. The Visiting Scientist Program provides short-term research visits (less than 2 weeks) for collaborative research that is related to ongoing research mission. The guest lecturers may be full-time faculty members and graduate students from U.S. colleges and universities, researchers from the private sector, or retired scientists. **Visiting scientists and guest lecturers are considered on a case-by-case basis.**

g. Other applicants, including established scientists interested in new training activities, are considered on a case-by-case basis. Recruitment and placement of individuals to serve in non-scientific and technical internship positions shall not exceed 5% of total internship positions filled.

h. All U.S. citizens or lawful permanent residents are eligible to apply, and must be willing to submit to a background investigation.

i. This is an equal opportunity program open to all qualified individuals without regard to race, sex, religion, color, age, physical or mental disability, national origin or status as a disabled veteran or veteran of the Vietnam era.

2. Benefits:

a. Postgraduate (including post-baccalaureate and post-associate degree) participants receive a monthly stipend that varies depending on degree level, discipline, project area, and experience. A stipend schedule will be developed and established in cooperation with JPAC. Stipends are may be increased for each year of participation. Inbound travel and moving expenses from the applicant's home or school to the JPAC-site may be reimbursed according to the ORISE Travel and Moving Policies and may be limited by JPAC.

b. Student participants receive a stipend based on academic standing and project area. A stipend schedule has been developed and established in cooperation with JPAC. Tuition and fees for off-campus programs may also be paid during the appointment period, subject to approval by JPAC. Round trip transportation from the applicant's home or school to the JPAC site may be reimbursed according to the ORISE Travel Policy.

c. College and university faculty participants and other established scientists/engineers receive a monthly stipend based on their regular salaries. Participants with sabbatical leave appointments are expected to have at least one-half of their salary paid by their home institutions. A stipend schedule for precollege teachers will be developed and established in cooperation with JPAC. Round trip transportation from the applicant's home or school to the JPAC site may be reimbursed according to the ORISE Travel Policy.

d. The K-12 Program offers teachers and students an opportunity to collaborate with JPAC and foster longer-term relationships between staff and K-12 staff. Successful applicants will serve appointments at JPAC or JPAC-approved locations and participate in workshops. The purpose of the workshops is to build school curriculum and foster new classroom related topics. Workshops on specific subjects can help teachers incorporate more hands-on activities in their classrooms as well as bring new, state-of-the-art concepts to their students. Teachers generally leave the workshops with materials and lesson plans ready for classroom implementation.

d. Stipends for part-time appointments are prorated based on the percentage of full-time participation.

e. Cash awards, not to exceed five percent of annual stipends, may be paid to participants for outstanding research contributions. For tax purposes, these payments are considered stipends.

f. Stipends are reported to the Internal Revenue Service as fellowship awards. However, no federal income taxes are withheld by ORISE (except for some foreign nationals).

g. A relocation allowance may be provided for those participants who relocate to the JPAC or other host installation area.

h. A participant engaged in a formal research program in residence at a sponsor-approved facility or a participant in a formal fellowship or scholarship program at a university may occasionally travel as part of his/her appointment. For purposes of this document, these individuals will be referred to as research participants. For these appointments, travel is not the primary purpose of the appointment, but travel is considered a component of the overall research/educational experience. The ongoing appointment period normally exceeds the duration of the travel. Research participants may travel:

- From within the United States to the sponsor's facility(ies) or to a sponsor-approved location within the United States
- From outside the United States to the sponsor's facility(ies) or to a sponsor-approved location within the United States
- From within the United States to a sponsor's facility(ies) or to a sponsor-approved location outside of the United States (identified as "foreign travel")
- From outside the United States to the sponsor's facility(ies) or sponsor-approved location outside the United States (identified as "foreign travel")

i. Travel must benefit both the research participant and the sponsor and be pre-approved by the sponsor and ORISE. Program-related travel may include pre-appointment visits, interview travel, inbound and/or outbound travel, inbound moves, travel to professional meetings/conferences relevant to the appointment activities, travel associated with research collaboration or the use of specialized research equipment, or other travel related to the appointment. All travel reimbursements will be in accordance with the federally approved ORISE Travel and Moving Policies. Taxable relocation allowances in lieu of other travel reimbursements may also be made.

Travel by those other than research participants in ongoing appointments may be approved on a limited basis by ORISE in accordance with the scenarios below:

- From within the United States to the sponsor's facility(ies) or to a sponsor-approved location within the United States
- From outside the United States to the sponsor's facility(ies) located within the United States
- From within the United States to a sponsor's facility(ies) located outside of the United States (identified as "foreign travel")
- From outside the United States to the sponsor's facility(ies) located outside the United States (identified as "foreign travel")

Travel by those other than research participants in ongoing appointments may be approved on a limited basis. Some allowable travel situations are described below.

The sponsor may wish to bring individuals to the host facility, or other sponsor-approved location or event, for the specific and sole purpose of the education and training benefit of research participants. For example, an individual may be invited to provide colloquia for research participants and/or to collaborate with participants and their mentors on research. When the individual's travel can be clearly linked to the educational or training benefit of research participants, and when the sponsor and ORISE pre-approve the travel, honoraria and/or reimbursement of the visitor's travel expenses may be provided by ORISE.

The sponsor may wish to bring individuals to *its facility(ies)* for collaboration with sponsor researchers. Visitors include members of the national and international academic communities and other technical and research professionals. When the visitor's travel can be clearly linked to the furtherance of science education and/or to the sponsor's research mission, and when the sponsor and ORISE pre-approve the travel, honorarium and/or reimbursement of the visitor's travel expenses may be provided by ORISE.

Other travel requests for non-research participants will be considered on a case-by-case basis and must include a compelling justification on why the travel should be approved by ORISE.

3. Appointment Period: Postgraduate (including post-baccalaureate degree) appointments are typically for one year, renewable for up to three additional years upon recommendation of JPAC. Postdoctoral appointments are normally for one year, renewable for up to four additional years. Student and faculty appointments are generally for 10 to 12 weeks during the summer; appointments during the academic year are also available. Student appointments may continue as long as eligibility requirements are satisfied, as described above. K-12 Teacher and Student Programs are typically a three to five day period at various times throughout the year. Part-time appointments can also be made. All appointments are subject to the availability of funds and may be terminated if appropriated funds are unavailable.

4. Application and Selection Procedure:

a. Applications are received, processed, and reviewed by ORISE for eligibility and completeness. Applications for all eligible candidates are transmitted to JPAC for review. The final selection of participants is made by JPAC in cooperation with ORISE based on a variety of factors to include, but not limited to, scientific and technical background and experience; accomplishments; academic records; recommendations; compatibility of the applicant's background with the interests of JPAC ; and the availability of funds, programs, staff, and facilities. Those selected are offered appointments by ORISE.

b. An applicant interested in the Postgraduate, Student, or Faculty Programs for JPAC should contact ORISE for general information and an application packet. JPAC is

also supplied with program materials for distribution. The completed application and supporting materials must be submitted directly to ORISE.

c. The completed application is used for the purpose of selecting participants and administering the program and is copied for that purpose. Disclosure of such information is made subject to Public Law 93-579 (the Privacy Act of 1974) and the U.S. Department of Energy regulations as published in the Federal Register on September 30, 1977.

5. Conditions and Obligations:

a. All contingencies of an appointment offer must be met before an awardee can begin an appointment. For example, if an award is offered to a candidate for a university degree, the university must present acceptable evidence that the candidate has completed all the formal academic requirements for such a degree before a postgraduate appointment can begin.

b. In cases where assignments require a security clearance, JPAC is typically responsible for obtaining clearances for participants. Additionally, participants who are not U.S. citizens should anticipate possible delays in arrangements for assignments.

c. Participants become administratively associated with ORISE through a letter of appointment and Terms of Appointment. They receive guest appointments at the JPAC-approved host installation and do not enter into an employer/employee relationship with JPAC, the host installation, ORAU, ORISE, DOE, or any other office or agency. Participants are required to show proof of health/medical insurance.

d. Appointments involve a commitment to the program at JPAC, and the participant must be in residence at JPAC, or another installation approved by JPAC, during the entire period of the appointment. The appointee's participation must be conducted in a manner and according to a time schedule that meets the overall requirements of JPAC. The participants are expected to be at the host facility during normal working hours and at all times observe and conform to all applicable rules, regulations, and requirements of the facility including, but not limited to, those respecting environment, safety, and health (ES&H) and ES&H training requirements, security, operating and health physics procedures, drug free work place notification requirements, and conduct.

e. Participants are required to sign and abide by the appointment letter, the Terms of Appointment which includes a disclaimer of liability, and other documents required by JPAC. Pursuant to Title 35 United States Code, Section 212, no provision of the ORISE Terms of Appointment or any other document required by ORISE to be completed by a participant may contain any provision giving ORISE any rights to inventions made by the participant.

f. Participants are encouraged to submit reports of their accomplishments to ORISE, to acknowledge the support of JPAC on publications and presentations that are related to their participation in the program, and to provide a copy of such publications to ORISE. Participants should acknowledge support by the following statement: "This project was supported in part by an appointment to the Research Participation Program for the JPAC administered by the Oak Ridge Institute for Science and Education through an agreement between the U.S. Department of Energy and JPAC."

g. Participants are paid a stipend. There are no salaries or fringe benefits paid. Participants do not *earn* sick leave or annual leave; although, the host facility can permit occasional absences without reduction of the stipend payment or termination of the appointment.

h. The program provides educational experiences involving participants in the scientific process. A participant is appointed to a particular host facility and is given a specific assignment under a mentor appointed by the installation. The assignment may be broad, but should be a definable project with a beginning and an ending. The participant's mentor is responsible for providing guidance and assistance to the participant on the project but does not serve as the participant's supervisor.

i. The participants are not considered to be performing a job, rendering advisory or personal services, or providing expert advice. There is no commitment to future employment by the host organization or others. Appointments are not dependent upon the performance of any specific work by the participants, and there is no requirement for the delivery of a product by the participant. They are participating in the sponsor's programs primarily for the experience and educational benefits they derive.

PROGRAM RESPONSIBILITIES

1. In administering this program, the Oak Ridge Institute for Science and Education assumes the following responsibilities:

a. Publicize the availability of opportunities through distribution of program announcements, advertisements in professional journals, and presentations at college campuses and professional meetings. ORAU/ORISE will conduct advertising and recruiting in order to increase awareness of the client's programs to potential participants and employees and other stakeholders. The advertising and recruiting efforts that ORAU/ORISE will conduct on the client's behalf include, but are not limited to, the development and duplication of brochures, promotional items bearing the client's logo or other symbols or information highlighting the client's programs, videos, handouts, and magazines as well as attending and hosting exhibits at career fairs, trade shows & professional meetings. Also included is developing and placing advertisements in magazines, newspapers, radio, and the internet as well as any other form of media requested by the client. This includes all staff time & wages towards these activities as well as all costs necessary to perform the activities listed."

b. Develop and distribute program materials in response to requests from individuals; receive and process applications; and send requested host installations files of eligible applicants for review. JPAC personnel are also given a supply of program literature for distribution.

c. Offer and make appointments to participants selected in consultation with JPAC ; monitor the progress of participants; make all appropriate payments and reimbursements; and handle other matters related to participants.

d. Meet with JPAC personnel on a periodic basis to discuss program management, administration, and implementation; to report on program activities; and to review program guidelines and operating procedures.

e. Meet with the participants at the JPAC facilities on a periodic basis to observe the training, educational activities of the participants; discuss problems encountered; evaluate the effectiveness of the program; etc.

f. Assess activities relative to program objectives and document the degree to which the objectives are met.

2. To assist in the administration of this program, the JPAC assumes responsibility for the following:

a. Provide ORISE with information on the types (students, postgraduates, faculty) of appointments desired and the amount of funding available for each.

b. Assist in the establishment of program policies and procedures.

c. Assist ORISE in preparing descriptions of ongoing projects at JPAC for distribution to applicants.

d. Assist in identifying and recruiting qualified applicants, particularly during the initial stages of program development.

e. Review candidates for appointments and cooperate with ORISE on selection process.

f. Obtain required approvals and clearances for selectees assigned to JPAC .

g. Identify a coordinator in each directorate to interact with ORISE, applicants, and participants. Coordinator is responsible for all approvals within their respective directorate.

h. Provide a description of the project for each participant and assist them in becoming established as functional members of the group to which they are assigned

by providing appropriate office and laboratory space, facilities, technical and clerical support, and access to necessary equipment and personnel.

- i. Assist ORISE in assessing and reporting program activities by providing information on activities and contributions of participants.
- j. Provide participants with appropriate orientation and environmental, safety, and health training pertaining to individuals assigned to JPAC-approved installations.
- k. Assist participants in securing suitable housing arrangements when necessary.
- l. Provide mentors to interface with the participants during the appointment periods.
- m. Provide funding in a timely manner to support the program.

RELATIONSHIP TO OTHER PROGRAMS

1. This program is administered by ORISE. ORISE is operated by ORAU. Established in 1946, ORAU is a consortium of doctoral-granting colleges and universities, as well as a private, not-for-profit corporation chartered in Tennessee and recognized as a 501(c)(3) entity by the Internal Revenue Service. It is a contractor for the U.S. Department of Energy. ORISE administers collaborative research development and training programs for other agencies through interagency agreements between the sponsoring agencies and DOE.
2. ORISE operates national fellowship and internship programs, and faculty, student, and postgraduate research participation programs. Annually, ORISE places over 6,000 individuals in various educational programs, including over 5,000 in long term research participation programs. Assignments are located at over 130 federal organizations from 900 colleges and universities, of which 90 are minority-serving institutions.
3. ORISE efforts in strengthening research and training collaboration between universities and the laboratories enhances technical and scientific advancement, improves university educational programs, and increases the supply of trained scientists and engineers.
4. ORAU's dual role as a DOE contractor and as a university consortium assures a close working relationship with both laboratories and the academic community. The experience and ability to work with both of these groups ensures continued effectiveness in the administration of its current and future programs.
5. **MILESTONES** During the operation of the program, ORISE prepares and distributes program materials and monitors appointments on a continuing basis.

6. ESTIMATED COSTS FOR PARTICIPANTS

a. Average costs of an appointment, including direct participant costs (stipend, moving, travel, and tuition/fees), program operating and indirect costs, and the DOE federal administrative charge are summarized below for various types of appointments. The Federal Administrative Charge (FAC) is mandated by Section 3137 of the Strom Thurmond National Defense Authorization Act of 1999 (Public Law 105-261). The FAC is currently 3.0%.

Type of Appointment	Total Costs ¹
Post-associates appointment (one year)	\$ 42,700
Post-baccalaureate appointment (one year)	\$ 58,700
Post-master's appointment (one year)	\$ 70,000
Postdoctoral appointment (one year)	\$ 85,100
Faculty appointment (three months) ²	\$ 35,950
¹ Includes direct, indirect, and operating costs; and FAC added factor	
² Appointment length varies	

b. Actual program costs each year will vary depending on the number, type, length, stipend, and travel/moving costs of the actual appointments made.

**DEPARTMENT OF ENERGY
OAK RIDGE OFFICE
ADMINISTRATIVE INSTRUCTIONS FOR INTERAGENCY ACQUISITIONS
DOE-ORO PROPOSAL NO. (1112-1112-99 [G060])**

I. Authority

A. DOE:

Oak Ridge Institute for Science and Education (ORISE) is a Department of Energy (DOE) institute operated by the Oak Ridge Associated Universities (ORAU) and hereafter referred to as Contractor. All work will be performed by the Contractor in accordance with DOE Contract No. DE-AC05-06OR23100 (<http://orise.orau.gov/about/contract/>) on a full cost recovery basis. Appropriation law necessitates that DOE or its Contractor perform this work on a best effort basis; however, DOE values other agencies' business and evaluates the Contractor on cost, schedule, and customer satisfaction.

B. Sponsor:

Please note that any funds provided by the American Recovery and Reinvestment Act of 2009 must be identified as such on your funding document.

DOE requires this statement or equivalent to be placed on the funding authorization document (Basic) prior to acceptance of the funds:

This agreement for DOE Proposal 1112-1112-99 [G060] is entered into pursuant to the authority of the Economy Act of 1932, as amended, 31 USC § 1535, and adheres to Federal Acquisition Regulation (FAR) 6.002. To the best of our knowledge, the work requested will not place DOE and its Contractor in direct competition with the domestic private sector.

NOTE: If your statutory authority is other than the Economy Act, please include the statement citing your appropriate authority.

C. Work in Direct Support of Homeland Security (HS) or Counter Terrorism (CT) Objectives:

It is DOE policy to make a pricing exception on reimbursable work supporting research, development, testing, evaluation, training, and exercises directly related to counter terrorism and homeland security activities sponsored by other Federal agencies. This pricing exception, which waives DOE's three percent Federal Administrative Charge, is granted if the sponsoring federal agency can demonstrate, including providing written certification, that the work being funded is Congressionally directed at achieving counter terrorism or homeland security objectives. If your proposed reimbursable work meets these criteria, DOE requires that the supplemental statement below or its equivalent be placed on the funding authorization document (Basic) prior to acceptance of the funds.

The work being funded is Congressionally directed at achieving counter terrorism or homeland security objectives.

II. Information Protection, Control and Dissemination Procedures

A. Sensitive Information Project

Sensitive but unclassified information (e.g., Official Use Only) will be protected in accordance with applicable U.S. government regulations as implemented in DOE Orders, Policies, Notices, Guidelines or Procedures. The U.S. Army Central Identification Laboratory, Hawaii (hereafter referred to as "Sponsor") will identify any sensitive information required or being transmitted for the conduct of the project. If the Sponsor has special protection or non-disclosure requirements for the project that are above and beyond DOE

protection standards, these must be clearly identified to DOE. The Sponsor will pay for any additional protection requirements above DOE standards. Failure to provide guidance on whether information is sensitive but unclassified will result in DOE performing the work in a completely non-sensitive information mode.

B. Classified Project

Security requirement to be followed in performance of classified work will be in accordance with applicable DOE Orders, which flow from applicable federal regulation. If classified work generates new classified information, the Sponsor is required to provide to DOE applicable classification guidance and any new guides/updates as they are developed. Before work begins or classified matter is received or transmitted, a classified mail and/or shipping channel shall be established and approved by the appropriate Sponsor certifying official. Failure to provide classification guidance will result in DOE performing the work according to DOE's existing classification guidance.

C. Export Control

The Sponsor recognizes that the Contractor will perform the work as assigned by DOE under this project pursuant to provision of the DOE contract, which includes complying with export control laws and regulations. The Sponsor must identify to DOE any special permissions or restrictions on export controlled information, equipment and/or proprietary software. DOE is responsible for ensuring that the DOE Contractor complies with U.S. government export control laws and regulations. Foreign nationals who possess VISA status of Legal Permanent Residents (LPR) are treated as U.S. citizens with regard to export control requirements. Foreign nationals who do NOT possess LPRs, must be reviewed and may require an export and/or deemed export license from the agency having export control jurisdiction. Deemed Export is the transfer of controlled technology to a foreign national within the U.S. If this situation arises, the Sponsor will be notified and if they concur with the participation of the foreign national, the appropriate licensing, if required, will be obtained prior to release of such information, equipment, and/or proprietary software.

III. Funds Management

All Sponsor reimbursable funding documents should be sent to the DOE Work for Others (WFO) Coordinator for acceptance. See Section X for contact information

A. Funds Obligation:

The Treasury appropriation account symbol must be added to the funding authorization, along with the obligational expiration date and the date the appropriation closes for payment purposes.

Funds shall be considered obligated upon DOE's acceptance of the funds and issuance of direction to the Contractor.

NOTE: DOE is unable to accept direct cite funds.

B. Full Funding:

Work performed for other Federal agencies shall be fully funded for the current fiscal year plus the first three months of the following fiscal year for work that transcends fiscal years. If your agency is unable to provide full funding due to internal budget allocation processes, you must submit a request to waive this full funding requirement to the DOE Work for Others Coordinator listed in Section X.

C. Financial Policy:

DOE will account for and control funds by individual funding document unless specific written instructions to the contrary are received from a certifying official of the Sponsor. Multiple funding documents for the same scope of work under this agreement will be fully costed on a first-in, first-out basis utilizing cost transfers if authorized.

IV. Invoicing Procedures

This section incorporates new requirements on Intragovernmental Business Rules directed by the Office of Management and Budget on November 13, 2006.

All billings, collections and payments related to reimbursable interagency acquisition (IA) work performed by DOE for other federal agencies will be recorded through the Intergovernmental Payment and Collection (IPAC) System. As expenditures are incurred against a customer agency's funding authorization, monthly billings will be issued on behalf of DOE by the Contactor's Accounts Receivable Department through the IPAC System. Chargebacks to DOE should not occur unless the customer agency has agreement with DOE to do so. In addition, sufficient accounting classification or other funding information required by the customer agency to properly identify the charges should be provided.

The DOE Obligor Number (i.e., the sponsor's agreement number [interagency agreement number, funding document number, MIPR number, etc.]) shall serve as the common agreement number required by FMS Bulletin No. 2007-03. The Sponsor IA is required to specify information including:

Agency Location Code (ALC)
Treasury Account Symbol (TAS)
Business Event Type Code (BETC)
Business Partner Network (BPN) number, and
Contracting and Accounting Points of Contact

For detailed requirements for billing instructions associated with FMS Bulletin No. 2007-03, please visit the following website: <http://fms.treas.gov/tfm/vol1/07-03.html>

V. Intellectual Property Rights

Inventions made in performance of this work may fall within the DOE-issued Class Patent Waiver to the Contractor and the Contractor may elect to retain title to such inventions subject to retention by the Federal Government of march-in-rights and a non-exclusive, non-transferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the U.S. the invention throughout the world.

VI. Environmental, Safety, and Health Compliance

All DOE work activities, including Work for Other Federal Agencies conducted by DOE and DOE Contractors, shall comply with applicable environmental, safety, and health (ES&H) statutes, regulations, standards, etc.

VII. Stop Work Procedures/Terminations

A. Project Modification:

This project or any task(s) hereunder may be modified by mutual consent of both the Sponsor and DOE at any time or may be terminated by either agency upon a thirty day (30) advance written notice to the other. In the event of termination by either agency, DOE will be reimbursed by the Sponsor for costs required to terminate the task(s) activities, to include personnel terminations, shipping of materials, software, hardware, etc., and efforts will be undertaken to mitigate close-out costs.

B. Disputes:

In the event of a dispute between the Sponsor and DOE or the Contractor, no authorized final decision will be issued without the concurrence of the contracting officers of both the Sponsor and DOE. If the dispute cannot be resolved, the contracting officers will agree upon a third-party forum to settle the dispute.

VIII. Project Close Out

A. Construction Activities:

Title of permanent construction on DOE Sites will pass to DOE upon completion of construction and acceptance by DOE.

B. Equipment Disposition:

If equipment is directly acquired as part of the project, such equipment will be accounted for and maintained during the term of the project in the same manner as DOE property. When the project ends or is terminated, disposition of any equipment directly acquired as part of the project will be as previously agreed to or as instructed by the requesting agency. This equipment may be delivered to the requesting agency's location, transferred to DOE, or declared as excess. The Sponsor will be responsible for costs of shipping any items.

IX. Audits of Projects

DOE Contractors and subcontractors, including those who perform Work for Others projects, are audited by either the Defense Contract Audit Agency (DCAA) or the DOE Inspector General's Office. These audits may disclose a need for adjustments to overhead rates or other applicable charges. Should this occur, the Sponsor would be responsible for any additional costs as a result thereof.

X. Points of Contact

A. Department of Energy, Oak Ridge Office:

1. Deborah L. Garland

Work for Others Coordinator
Department of Energy
Oak Ridge Office
M-6.1, Room G214
Post Office Box 2001
Oak Ridge, Tennessee 37831-8650
Commercial or FTS (865) 241-9566
GarlandDL@oro.doe.gov

2. Greg A. Mills

Program Manager
Department of Energy
Oak Ridge Office
Post Office Box 2008
Building 4500-N, Mailstop 6269
Oak Ridge, Tennessee 37831-6269
Commercial or FTS (865) 576-0951
MillsGA@ornl.gov

B. Oak Ridge Associated Universities Contacts:

Program:

1. Joanne Salpeas

Program Manager
Science Education Programs
Oak Ridge Associated Universities
4692 Millennium Drive, Suite 101
Belcamp, MD 21017
Commercial or FTS (410) 306-9206
Joanne.Salpeas@orau.org

Administrative/Fiscal:

2. Rebecca Kennard

Contracts Administration Manager
Oak Ridge Associated Universities
Post Office Box 117
Oak Ridge, Tennessee 37831-0117
Commercial or FTS (865) 576-8533
Becky.Kennard@orau.org

**Post-Hearing Questions for the Record
Submitted to Major General McKeague
From Senator Kelly Ayotte**

**“Mismanagement of POW/MIA Accounting”
August 1, 2013**

1. Question: The 2010 National Defense Authorization Act (NDAA) sets an accounting goal of identifying at least 200 missing persons annually. The Secretary of Defense is "to increase significantly the capability and capacity" of the Department of Defense (DoD) to better contribute to the mission. - Secretary Winfield and Major General McKeague, what funding levels would you need in FY14 and FY15 to achieve the 200-identification requirement by FY15? - Major General McKeague, how will sequestration in 2013 and 2014 affect the mission?

Answer: In response to the passage of the Fiscal Year (FY) 2010 NDAA requirement to build the capability and capacity to achieve 200 annual identifications by 2015, JPAC requested (through the FY2012-2016 Program Objective Memorandum--POM--process) the requisite resources to meet this goal. DoD subsequently approved the additional \$312.1 million and 253 new personnel (208 civilians and 45 military) requested in the POM.

Despite having received our FY2012, and some of the FY2013, allocations, this year's Continuing Resolution Authority (CRA) funding delays, Sequestration reductions, and the civilian hiring freeze have severely hindered our planned capacity-building and restricted our capability growth initiatives. Being able to hire the additional 91 and 25 civilians respectively programmed in FY2013 and FY2014, as well as receiving the additional \$59.9 million and \$69.3 million programmed for those years, would help to counteract the accumulating negative impacts. But, as it stands, the delays to hiring, training and fielding new personnel by FY2014, due to the limiting capability and capacity growth, will prevent 200 annual identifications in being achieved.

- Major General McKeague, how will sequestration in 2013 and 2014 affect the mission?

Answer: The most significant impact from Sequestration has been to our programmed capacity growth. During FY 2013, the Department of the Navy-imposed a civilian hiring freeze preventing JPAC from filling 74 programmed civilian vacancies, and 3 unfilled vacancies from FY2012. Moreover, the civilian hiring freeze precludes us from filling 37 current civilian attrition vacancies that have accumulated, as well as retaining critical scientific term-employees who have proven themselves through their performance. In FY2014, JPAC will be unable to fill 25 more civilian billets, which had also been programmed and should be in the applicant-advertising phase by now. The freeze currently prevents us from hiring 139 civilians, many of whom are required scientists, historians and analysts, to build our capacity per the FY2010 NDAA.

Also, in FY2013, the collective effects of CRA budgeting delays and Sequestration reductions to our budget, resulted in the cancellation of 6 of 36 planned Joint Field Activities (JFAs), each of which comprises multiple recovery missions and investigation missions in a specific country and the scaling down of 4 other JFAs. JPAC anticipates similar budget impacts in FY 2014 and will

again be forced to cancel and scale back operational missions if Sequestration continues in its current form.

2. Question. The July 2013 Government Accountability Office report acknowledged that Secretary Winfield has made improvements in some areas, but it found that problems persisted and impeded DoD's efforts to ensure the effective and efficient accomplishment of the mission.-Secretary Winfield and Major General McKeague, what reforms are you pursuing to make DPMO and JPAC more efficient and to help accomplish the mission?

Answer. The Joint POW/MIA Accounting Command (JPAC) has made numerous reforms aimed at improving our efficiency and effectiveness to better accomplish our mission. Several of the key ones include:

- In October 2012, we instituted an internal reorganization to better align our functions. One major aspect of this was combining most of the sections supporting our Investigation and Recovery Teams into a single division to provide better command and control, logistics planning, and synergy among all deploying support personnel.
- We have also restructured our deploying investigation teams to include two key positions with very important roles: a civilian scientist to provide site assessment and mapping capabilities, and a military team leader to provide improved planning and logistics.
- We established an Investigation Decision Board to evaluate and approve cases for advancement from the research to field investigation phase, which has ensured greater oversight and cross-functional collaboration among JPAC's directorates.
- Our scientific staff has developed methodologies in collaboration with academic institutions and civilian laboratories which capitalize on forensic solutions to identify unknown remains where traditional DNA methods are not possible. One particularly successful method involves ante- and post-mortem radiographic comparisons of Korean War servicemen. This innovation has enabled us, in the last two years, to identify 25 Korean War servicemen formerly buried as Unknowns at the National Memorial Cemetery of the Pacific.
- We expanded our laboratory capacity through the establishment of a laboratory annex at Offutt AFB, Nebraska, in a renovated facility. Although presently staffed with only 14 civilian personnel, when the current civilian hiring freeze is lifted, this facility will house 50 personnel comprised of scientists, historians and various support personnel.
- In Burma, we are formalizing an outreach program to acquire and follow up on potential leads from local citizens who may have information related to U.S. World War II loss incidents. In the initial 2 months, we received more than 1,000 calls, which preliminarily appear to comprise at least 350 actionable leads.

- In Papua New Guinea, we are hiring local Papuans to canvass areas in search of potential WWII crash sites, engage villagers who may have information about WWII loss incidents, and to photograph and record GPS coordinates of these sites.
- In the Republic of Korea, we established a forward element to conduct continuous investigation operations in direct concert with our South Korean counterparts which leverages their extensive in-country expertise and enhances the efficiency of our efforts there.
- In Europe, we established a Liaison Officer to work directly with U.S. European Command (USEUCOM) and foreign governments. The close and ongoing coordination has enabled us to further streamline our processes and more efficiently achieve our mission objectives in the USEUCOM area of responsibility.
- We are finalizing plans to digitize JPAC work flow processes to promote more efficient management control and oversight of JPAC products, to centralize data, and to facilitate easier access to records.

3. Question. The 2010 NDAA required the Secretary of Defense to "implement a comprehensive, coordinated, integrated, and fully resourced program" to account for missing persons.-Secretary Winfield and Major General McKeague, when will the FY 2014 Capacity and Capability Plan be finalized and released to the committee?

Answer. Earlier this summer, the Joint POW/MIA Accounting Command provided input to, and fully coordinated on, the FY2014 Capacity and Capability Plan. However, it has been put on hold pending completion of the Cost Assessment and Program Evaluation (CAPE) review and analysis of the accounting community's organizational structure and processes, which commenced on August 28, 2013. The CAPE report is projected to be delivered to the Deputy Secretary of Defense on December 23, 2013.

CHARRTS No.: SHSGAC-03-018
 Senate Committee on Governmental Affairs
 Hearing Date: August 01, 2013
 Subject: Mismanagement of POW/MIA Accounting
 Witness: Maj Gen Winfield
 Senator: Senator McCaskill
 Question: #18

Question: During the hearing, JPAC and DPMO stated that the Under Secretary of Defense for Policy, Dr. James Miller, is conducting a review regarding the implementation of GAO's recommendations for the accounting community, including the possibility of consolidation. - Please provide a copy of Dr. Miller's report. If the report is not yet available, please provide a timeline for when it will become available.

Answer: Dr. Miller fully embraced the recent findings in the Government Accountability Office report about the longstanding challenges in accounting for missing persons, concurring in eight of their recommendations, and concurring in part in the ninth. He recently asked the Joint Staff for assistance in implementing three of the recommendations: developing a memorandum of agreement between the Life Sciences Equipment Laboratory and JPAC; formalizing communication procedures between JPAC and the Military Departments' casualty offices; and developing and implementing a coordination mechanism between the U.S. Pacific Command and other commands where JPAC is likely to operate. Dr. Miller's office is leading the implementation of the other six recommendations.

Additionally, Dr. Miller requested that the Deputy Secretary of Defense task the Director, Cost Assessment and Program Evaluation (CAPE) to lead a review of the personnel accounting community. On August 26, 2013, the Deputy Secretary of Defense tasked the Director, CAPE, to lead a review of the current structure of the community and determine if that structure is effective and cost efficient; determine how each component of the community supports the identification process; evaluate whether the "200 accounted-for goal" is the optimal metric; and provide recommendations for alternative organizational structures and processes to conduct the mission effectively. I expect this report will be available in early 2014, and I look forward to briefing the Committee on the findings of this review – along with a progress report on the implementation of the recommendations from GAO.

Question: #19

Question: According to GAO, DPMO has not conducted an analysis to determine exactly how many World War II-era personnel can reasonably be recovered. - Please provide an analysis of exactly how many World War II-era personnel can reasonably be recovered.

Answer: The Department of Defense (DoD) has not yet extrapolated the geographic data from the paper files of each of the approximately 73,670 service members who are "unaccounted-for" from

World War II and, to date, cannot provide a complete analysis of recoverability. Of the 73,670 missing service members, DPMO estimates that approximately 39,800 were lost over water, and it is unlikely those remains could be recovered. As recommended by the GAO, we are working to establish criteria that can be used to prioritize efforts to recover missing persons.

Question: #20

Question: Please provide a copy of DPMO guidelines regarding the protocol for determining when to notify a family that a POW/MIA is unrecoverable.

Answer: The term “unrecoverable” is not generally used by the personnel accounting community nor is it a determination made by DPMO.

In October 1994, DoD initiated a comprehensive review of each case involving an American serviceman or civilian who was “unaccounted-for” as a result of U.S. involvement in the war in Southeast Asia. DPMO, the Joint Task Force-Full Accounting, and the U.S. Army’s Central Identification Laboratory worked together to review all the information developed on each case since the loss incident and to prescribe future actions for achieving the fullest possible accounting.

As a result of the detailed analysis for each missing service member from the Vietnam-era, analysts developed three analytical categories to determine the next steps to investigate a case: “Further Pursuit;” “Deferred;” and “No Further Pursuit.” If all useful investigative leads are exhausted and an analysis of existing information provides no clear evidence that the remains are recoverable, then a case can be recommended for the category of “No Further Pursuit.”

Following completion of this review in July 1995, families of “unaccounted-for” service members from the war in Southeast Asia received a letter informing them of the results of the review. The letter explained the efforts that had been made regarding the case and the justification for classifying the case in one of the three analytical categories. The letter also explained that for cases placed in the “No Further Pursuit” category, the analytical determination could be changed if new leads are discovered. Indeed, that has happened in approximately 35 cases. Cases of “unaccounted-for” service members are continuously analyzed. If analytic efforts indicate that we have exhausted all leads on a case from the war in Southeast Asia and an analytic determination is made that the case should move into the “No Further Pursuit” category, the Deputy Assistant Secretary of Defense (DASD) for POW/Missing Personnel Affairs informs the family by letter.

Notifications of families concerning missing personnel from the Korean War and World War II are governed by provisions of Public Law 77-490, as amended. In accordance with this law, during the Korean War, the family was sent a letter from the appropriate military department following the establishment of a presumptive finding of death. Korean War Individual Deceased Personnel Files contain a service-specific *Finding of Death of Missing Person* form, which established the fact of death but not the date. The date of death in the file was determined by the appropriate military department and is a presumptive date allowed by statute, usually a year and a day from the loss-incident date. However, early in the war, many cases of missing U.S. Army soldiers the Army

Adjutant General made continuances of the person's missing status until after the 1953 Armistice, at which time a presumptive finding of death was made and the family was notified of that finding.

World War II Individual Deceased Personnel Files usually contain a notification that the service member was missing, followed by a finding of death report. In some cases, an American Graves Registration Service Board of Officers convened and declared the individual non-recoverable, following an extensive search for the missing person's remains. If such a finding was rendered, the family received a letter informing them of the board's decision.

While recovering and identifying remains is one of our most important missions, the Department also focuses on keeping the families of our missing informed. To this end, the Department is continuously updating families in person, and/or via letter, telephone call, or e-mail about our efforts to account for their loved ones. We contact more than 5,000 families per year to provide them detailed information on our efforts to account for their loved ones. Approximately 1,800 of these family members are contacted through our family update program. Under this longstanding program, the personnel accounting community hosts six to eight meetings throughout the country each year to personally brief families. These engagements are an open and honest dialogue, and address all aspects of a missing service member's case – including the feasibility of recovery.

In legislative proposals submitted to Congress for Fiscal Year 2013 and Fiscal Year 2014, the Department sought specific authority to make periodic briefings to families of missing personnel a mission of the DASD for POW/Missing Personnel Affairs. We thank the Senate for supporting this proposal and are hopeful that it will be enacted into law. While we endeavor to increase the Department's capability and capacity to make 200 identifications a year, we recognize that we may never be able to recover all of our missing service members, but we can help their loved ones better understand the circumstances of their loss and our efforts to account for them.

Question: #21

Question: There seems to be disagreements between the accounting community and the military services about whether disinterments are appropriate to count toward the accounting goal.

Answer: While there are issues that may need to be resolved between the accounting community and one of the military services regarding disinterments, we believe service members accounted-for as a result of identification of remains that were previously buried as an unknown and disinterred support the accounted-for goal expressed in the National Defense Authorization Act for Fiscal Year 2010. In Fiscal Year 2013 DoD approved 32 requests for disinterments. All these disinterments were done with the concurrence of the relevant military service.

Question: #22

Question: Does the Department of Defense have current guidelines in place on when disinterment is appropriate? If not, will the community-wide plan address the role of disinterments in accounting?

Answer: The Department of Defense (DoD) is operating under procedures developed by a disinterment working group led by the Office of the Under Secretary of Defense for Personnel and Readiness (OUSD (P&R)) that permit disinterment of unidentified remains buried as unknowns. To implement these procedures, DoD has developed an internal process, involving all DoD stakeholders, to review and approve disinterment requests submitted by the Joint POW/MIA Accounting Command (JPAC). The USD (P&R) is drafting a DoD Instruction that will provide formal DoD guidance on the disinterment of unidentified remains buried as unknowns. In Fiscal Year 2013 DoD approved 32 requests for disinterments.

It is anticipated that the community-wide plan will address the role of disinterments in accounting.

Question: #23

Question: Does the Department have an estimate on the total number of recoveries that could be made for each conflict if disinterment were used?

Answer: The Department has not made official estimates of how many missing could be accounted-for through the disinterment of unknown remains. However, the potential for each covered conflict varies. There are more than 8,000 unknowns interred in U.S. Government cemeteries from WWII. We do not have an accurate estimate of how many of these we may be able to identify. At the present time, there are 801 unknowns from the Korean War interred in the National Military Cemetery of the Pacific, whose files are being examined by the Central Identification Laboratory at JPAC, and one unknown located in the Tomb of the Unknown at Arlington National Cemetery. There are no unknowns from the Vietnam War.

CHARRTS No.: SHSGAC-03-001
 Senate Committee on Governmental Affairs
 Hearing Date: August 01, 2013
 Subject: Mismanagement of POW/MIA Accounting
 Witness: Maj Gen Winfield
 Senator: Senator Ayotte
 Question: #1

Question: The 2010 National Defense Authorization Act (NDAA) sets an accounting goal of identifying at least 200 missing persons annually. The Secretary of Defense is "to increase significantly the capability and capacity" of the Department of Defense (DoD) to better contribute to the mission. - Secretary Winfield and Major General McKeague, what funding levels would you need in FY14 and FY15 to achieve the 200-identification requirement by FY15? - Major General McKeague, how will sequestration in 2013 and 2014 affect the mission?

Answer: The Department continues to fund the personnel accounting community to comply with the goal of the National Defense Authorization Act for FY10 to increase the capability and capacity of the Department to account annually for the remains of 200 formerly unaccounted-for service members beginning in FY15. In FY14, the Department of Defense requested, via the President's budget request, approximately \$21 million for the Defense POW/Missing Personnel Office, \$118 million for the Joint POW/Missing in Action Accounting Command, \$11million for that part of the Armed Forces Identification Laboratory that supports the personnel accounting community, and \$300,000 for the Life Sciences Equipment Laboratory. The President's FY15 budget request is still being developed.

Question: #2

Question: The July 2013 Government Accountability Office report acknowledged that Secretary Winfield has made improvements in some areas, but it found that problems persisted and impeded DoD's efforts to ensure the effective and efficient accomplishment of the mission. -Secretary Winfield and Major General McKeague, what reforms are you pursuing to make DPMO and JPAC more efficient and to help accomplish the mission?

Answer: Since arriving at DPMO in May 2012, I have undertaken several initiatives to increase our efficiency and effectiveness. To increase cooperation and collaboration in the personnel accounting community, I initiated monthly Video Teleconferences (VTCs) that include all the accounting community partners. Representatives from the Joint Staff, the military services, the Life Sciences Equipment Laboratory, the Armed Forces DNA Identification Laboratory, General McKeague and I, participate in these VTCs. These conferences allow the personnel accounting community to regularly come together and discuss issues vital to accounting for our missing. Additionally, I directed that DPMO issue annual planning guidance to the personnel accounting community to ensure that we are all planning towards the same goal. Separate from this, DPMO is issuing updated guidance on roles and responsibilities among DoD organizations for the personnel accounting mission and on personnel accounting processes and procedures.

DPMO also leads capability planning for the accounting community through a series of working

groups and is leading efforts to implement the GAO's recommendations. The Under Secretary of Defense for Policy, Dr. James Miller, fully embraced the recent findings in the Government Accountability Office report about the longstanding challenges in accounting for missing persons, concurring in eight of their recommendations, and concurring in part in the ninth. Dr. Miller recently asked the Joint Staff for assistance in implementing three of the recommendations: developing a memorandum of agreement between the Life Sciences Equipment Laboratory and JPAC; formalizing communication procedures between JPAC and the Military Departments' casualty offices; and developing and implementing a coordination mechanism between the U.S. Pacific Command and other commands where JPAC is likely to operate. The Under Secretary of Defense for Policy is leading the implementation of the other six recommendations and DPMO performs an important role in implementing these recommendations.

Regarding improvements within DPMO, I asked the DoD's Office of the Deputy Chief Management Officer (DCMO) to perform a capability and capacity assessment for DPMO and to assist me with strategic planning to achieve the goals in the Fiscal Year 2010 National Defense Authorization Act. I also asked that DCMO provide supporting external reviews of the DPMO and Accounting Community process and capabilities. This assessment identified organizational process and performance improvement recommendations to ensure we would have sufficient resources increased capabilities by Fiscal Year 2015. Through this effort we better defined our strategic goals and instituted an internal re-organization of DPMO to help achieve those goals.

Question: #3

Question: The 2010 NDAA required the Secretary of Defense to "implement a comprehensive, coordinated, integrated, and fully resourced program" to account for missing persons. -Secretary Winfield and Major General McKeague, when will the FY14 Capacity and Capability Plan be finalized and released to the committee?

Answer: The Personnel Accounting Community Capability and Capacity Plan is currently being revised based on input received during internal DoD coordination of the initial draft and the continued impacts of the Budget Control Act of 2011. The finalized plan will also reflect any recommendations identified in the Cost Assessment and Program Evaluation (CAPE) organizational review of the entire personnel accounting community. We expect CAPE's review to be completed in early 2014. The Department commits to provide a briefing to the Committee once it is finalized.

**Questions for the Record Submitted to
John A. Goines III by
Senator Claire McCaskill
Senate Committee on Homeland Security and Governmental Affairs
August 1, 2013**

1. Question: For the last five years, please provide the number of analyses the Life Sciences Equipment Laboratory has performed annually.

Answer:

Calendar Year	New Cases Delivered to LSEL	Cases Analyzed	Cases in Work or Backlogged
2009 (a)	12	13	9
2010	4	7	6
2011	10	11	5
2012	15	7	13
2013	191 (b)	6 (to date)	TBD
Total	232	44 (to date)	33 (to date)

Notes:

- a) 2009 started with a backlog of 10 cases.
- b) LSEL received 187 cases from the Joint POW/MIA Accounting Command's (JPAC) Central Identification Laboratory between June 17, 2013 and August 20, 2013.

2. Question: What analyses is LSEL currently able to perform? Are there certain types of recoveries that LSEL is better suited for involvement?

Answer: The LSEL is currently able to perform analyses of life sciences equipment (LSE)-related material recovered from ground action or aircraft crash sites. The LSE category incorporates most variants of flight apparel, military uniforms, and combat infantry gear (including weapons-related components up to .50 caliber); aircraft fixed or ejection seats; most forms of parachute and aerodynamic decelerators; life rafts and personnel flotation systems; avionics communication and visual signaling devices; as well as other specialized equipment ranging from body armor to identification media. From the analyses of the LSE artifacts, the LSEL provides the accounting community conclusions as to the presence of personnel; the number of personnel at the site; the time frame of loss; the Service branch associated with the loss; and the potential survivability of any associated personnel. The LSEL has the capability to support cases from World War I through current military operations for all U.S. Military Service branches, including foreign allied nations and some enemy combat military forces.

The LSEL is better suited for cases where minimal or no remains have been recovered, or for cases where anomalies exist with regard to recovered LSE or material evidence. Even with

advances in forensic science, it remains true that there may be instances where no or minimal amounts of non-diagnostic human remains will be recovered despite the best efforts of the U.S. Government to provide the “fullest possible accounting” of our missing Service personnel.

By analyzing the recovered LSE and material evidence, the LSEL can provide an overall image of what the evidence supports - or does not support - about its previous user and his or her probable status. Difficult cases, where human remains are not recovered or available and LSE and material evidence have been recovered, could be forwarded to the LSEL for analysis regardless of the conflict period. The resultant LSEL analysis could then be included in the information presented to the next of kin as to the efforts that the POW/MIA accounting community has taken to account for their missing loved ones.

3. Question: The GAO report was very critical of the dysfunctional, inefficient, and duplicative relationship between CIL and LSEL. - Please provide a breakdown of responsibilities between CIL and LSEL and where those responsibilities intersect when CIL and LSEL work together.

Answer: In 1988, the LSEL Chief was approached by representatives from the Joint Casualty Resolution Center (JCRC) to examine equipment artifacts recovered in Southeast Asia to determine the feasibility of accounting for personnel based solely on the equipment. Based upon several test case studies, the LSEL Chief and JCRC discovered that these studies could likewise aid in the determining the presence of people at historic sites, especially in instances where no human remains were found. It was in this context that the LSEL created a dedicated POW/MIA mission team after being tasked by Congress and the Joint Chiefs of Staff in 1993.

The LSEL was designed to provide laboratory-level analysis of the recovered life sciences equipment (LSE) and other material evidence. The LSEL also trains JCRC/Joint Task Force-Full Accounting (JTF-FA)/Joint POW/MIA Accounting Command (JPAC) Life Support Investigators (LSI) and provides field-level analysis at the designated recovery sites.

Based upon the concept of field-analysis versus laboratory, there is an intersection of analysis abilities between the JPAC LSI and the analysts assigned to the LSEL. JCRC/JTF-FA/JPAC LSIs serve as field-level specialists on site to identify and interpret the specific area where LSE and material evidence were concentrated. By identifying an area of concern, emphasis could be directed to the area that would increase the probability of recovering human remains. Where a site did not contain human remains, the recovered material would be sent to the LSEL for analysis at the laboratory-level. The LSEL would then be responsible for analysis of the materials and provide conclusions to JCRC/JTF-FA/JPAC. The final report would include laboratory-based conclusions as to the presence and number of personnel at the site, the time frame of loss, identification of Service branch, and potential survivability of any associated personnel.

On this basis, in 1994 the LSEL created a facility and capability to cover the various conflict periods that involve missing American personnel. The LSEL's responsibilities are initiated when CIL provides a case for analysis. The LSEL is tasked with answering four questions:

- 1) Can you confirm that the submitted aircrew life support equipment artifacts are consistent with types worn or used by aviators and crew in the identified era?
- 2) Can you determine, based upon analysis of recovered life support materials, the

number of individuals onboard the aircraft at the time of the crash?

3) Can you date the crash based on any observed modifications among the artifacts?

4) Based on the recovered life support equipment, can you determine if this crash was survivable?

Upon completion of analysis, the LSEL issues a report answering these four questions and provides it to JPAC/CIL and DPMO. After a two-week review period, the LSEL forwards a copy of the report to the respective Service Casualty Office, with a copy for respective families of the missing service members involved in the loss under review.