



PRESS RELEASE

House National Security Committee
Floyd D. Spence, Chairman

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**STATEMENT OF CHAIRMAN FLOYD D. SPENCE
UPON THE MARK-UP OF**

**H.R. 4000, AMENDING CURRENT LAW TO RESTORE CERTAIN PROVISIONS OF U.S. CODE
RELATING TO MISSING PERSONS**

Today, the House National Security Committee unanimously reported H.R. 4000, a bill to reinstate a variety of Missing Person's Act sections which will otherwise be repealed upon enactment of the FY 1997 Defense Authorization Act (H.R. 3230). Following committee action on the bill, Chairman Spence issued the following statement:

"I am very pleased that the House National Security Committee approved H.R. 4000 today. This bill will ensure that searches for missing personnel begin quickly, missing personnel remains are positively identified, government officials cooperate fully with investigations, and establish a policy that, in general, missing persons are not declared dead solely because of the passage of time. Approving this bill is a clear indication that the committee is committed to protecting American service members and their families by ensuring that our government does all that it can to recover every service member who becomes lost in action or a prisoner of war."

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A summary of H.R. 4000 is attached.

Summary of H.R. 4000:

H.R. 4000 will:

- Reapply the Missing Person's Act to DOD civilians and DOD contractors accompanying armed forces in the field. The FY 1997 Defense Authorization Act would limit the scope of the law to military personnel.
- Establish a 48-hour deadline for the commander's initial report of a missing person's status. However, in the event of an emergency situation due to hostile action or combat conditions, H.R. 4000 allows up to 10 days for the commander to make a report. The FY 1997 Defense Authorization Act would establish a 10-day deadline for all circumstances.
- Require the theater component commander to review the commander's initial assessment of the missing person's status and to assess the adequacy of actions being taken to resolve the status. The FY 1997 Defense Authorization Act would eliminate the involvement of the theater component commander.
- Restore the requirement that the status of missing persons be reviewed every three years for 30 years after the initial report. The FY 1997 Defense Authorization Act would direct reviews only when new information that may change the missing person's status is received.
- Restore the authority to assess criminal penalties for the knowing and willful withholding of information from a missing person's file. The FY 1997 Defense Authorization Act would eliminate this authority.
- Restore the requirement that a DOD status review board, when making determinations of death, provide descriptions of the location of the body (if recovered) and practitioner certification that the body recovered is that of the missing person (if the body is unidentifiable). The FY 1997 Defense Authorization Act would eliminate both of these requirements.
- Restores the authority to request a status review of cases involving persons killed in action in the Korean conflict, but whose bodies were not recovered, when new information is received. The FY 1997 Defense Authorization Act would eliminate this provision.