

112TH CONGRESS  
1ST SESSION

# H. RES. 485

Expressing the sense of the House of Representatives regarding the declassification of information related to missing and unaccounted-for members of the Armed Forces.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2011

Mr. JONES (for himself, Mr. POE of Texas, and Mr. WHITFIELD) submitted the following resolution; which was referred to the Committee on Armed Services

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## RESOLUTION

Expressing the sense of the House of Representatives regarding the declassification of information related to missing and unaccounted-for members of the Armed Forces.

Whereas accounting for members of the Armed Forces still missing and otherwise unaccounted for from the past wars of the United States continues to be of great concern to the families of the members, veterans, Congress, and the American people;

Whereas for decades, new laws, executive orders by successive Presidents, and intense official efforts by the Federal Government have failed to ensure the declassification of all relevant information that should be readily available to the families of members who are missing or unaccounted for and both private and public researchers for

analysis, for example, all written communication, including attached or referenced documents, between James Kelleher, Director of Special Operations of the Office of the Secretary of Defense, and Major Walter R. Smith, Executive, Subsidiary Plans Division of the Air Force, regarding missing personnel of the United States during the Korean War, including unclassified files forwarded to the Department of Defense on August 3, 1956, and September 27, 1956;

Whereas obstacles continue to be encountered by some directly affected family members and private researchers who are seeking relevant archival records of the United States on incidents, processes, procedures, and policies that pertain or may pertain to missing and unaccounted-for individuals and their ultimate fates;

Whereas countless hearings and investigations by the House of Representatives and the Senate have been held since the end of the Vietnam War in 1975 to delve into unresolved questions related to POW/MIA matters, including claims of conspiracy and cover-up within the Federal Government that were found to be without merit;

Whereas decades after the end of the Vietnam War, Korean War, and the Cold War, there are still many unanswered questions about the ultimate fates of some of these unreturned veterans, especially those who were known at one time to be captured or in immediate proximity to capture in North Korea and Southeast Asia;

Whereas in March 2009, the Government of Vietnam proposed increasing the pace and scope of field operations, a proposal welcomed by POW/MIA families and veterans, but not yet adequately responded to by the United States, despite the fact that remains of personnel of the

United States from the Vietnam War are disappearing because of the passage of time in acidic soil inherent in the region, encroaching development, and incident sites becoming more difficult to locate because of the death of potential eye-witnesses; and

Whereas thousands of members of the Armed Forces who served during World War II are considered to be buried at sea and unrecoverable because of the sinking of American ships, but the remains of other thousands of members lost in World War II and the Korean War that are considered possibly recoverable have yet to be recovered, identified, and returned to their families and to the United States for burial with the honors earned in combat: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that—

3               (1) the Secretary of Defense should take imme-  
4       diate actions to ensure that all classified information  
5       (except for current, active intelligence information  
6       and sources and methods of collection) that pertains  
7       or may pertain to any member of the Armed Forces  
8       who is missing and unaccounted for from World  
9       War II, the Korean War, the Vietnam War, or the  
10      Cold War, regardless of whether such information  
11      was originated by the Federal Government, a foreign  
12      source, or other official or private source, that came  
13      into the possession of the Department of Defense be  
14      declassified and provided to the primary-next-of-kin

1 or other designated next-of-kin and, in accordance  
2 with relevant privacy laws, made available to the Na-  
3 tional Archives and Records Administration for re-  
4 view by public and private researchers;

5 (2) sufficient funding and personnel should be  
6 approved and provided for the POW/MIA accounting  
7 community (as defined by section 1509(b)(2) of title  
8 10, United States Code) to support—

9 (A) expanding and increasing the declas-  
10 sification effort described in paragraph (1);

11 (B) responding fully to Vietnam’s proposal  
12 to increase the pace and scope of field oper-  
13 ations;

14 (C) developing the capacity to conduct  
15 worldwide remains recovery and identification  
16 of at least 200 unaccounted-for members by fis-  
17 cal year 2015, as required by section 541(d)(2)  
18 of the National Defense Authorization Act for  
19 Fiscal Year 2010 (10 U.S.C. 1509 note);

20 (D) resuming field recovery operations in  
21 North Korea, including notification to Congress  
22 if additional funding is needed to implement  
23 agreements reached on October 20, 2011, be-  
24 tween the United States and North Korea; and

1           (E) resuming field operations in Burma if  
2           such recovery operations again become possible;  
3           and

4           (3) the funding described in paragraph (2)  
5           should be sufficient to allow for the expansion of ac-  
6           counting efforts for all members of the Armed  
7           Forces missing and unaccounted for from all wars  
8           without—

9           (A) degrading any efforts related to the  
10          most recent wars and conflicts; and

11          (B) reducing efforts to account for mem-  
12          bers in cases where acidic soil is destroying re-  
13          mains, development is encroaching, and eye-  
14          witnesses are dying.

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