

WRITTEN DOCUMENT PROVIDED TO CONGRESS

BY

FORMER POW AND CONGRESSMAN SAM JOHNSON

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MR. CHAIRMAN I AM PLEASED TO BE HERE TODAY AND I THANK YOU FOR THE OPPORTUNITY TO SPEAK BEFORE YOU ON THIS ISSUE. AS A PRISONER AND SURVIVOR OF THE VIETNAM WAR, I KNOW FIRST HAND THE DEVASTATION AND DESPAIR THAT WAR BRINGS TO THE FAMILIES AND FRIENDS OF THE MEN AND WOMEN WHO WERE PRISONERS OF WAR AND THOSE WHO ARE STILL MISSING IN ACTION. IN MY VIEW, THERE IS NOTHING MORE AGGRAVATING THAN A FAMILY NOT KNOWING AND THE GOVERNMENT SIMPLY NOT CARING OR IGNORING THE FATE OF OUR MISSING SERVICEMEN AND WOMEN.

I BELIEVE, IN MY HEART, THAT THESE FAMILIES AND ALL AMERICANS DESERVE THE RESPECT AND THE FULL ACCOUNTING THEY HAVE LONG SOUGHT ABOUT OUR SOLDIERS WHO ARE MISSING IN ACTION. THIS IS WHY I OPPOSED THE FY 1997 NATIONAL DEFENSE AUTHORIZATION ACT CONFERENCE REPORT AND THAT IS WHY I STRONGLY SUPPORT THE CHAIRMAN'S BILL. THE CHAIRMAN, BY INTRODUCING HIS BILL, SEEKS ANSWERS TO THE PAST AND PROVIDES PROTECTIONS FOR OUR SOLDIERS IN THE FUTURE.

WE MUST ADOPT THE CHAIRMAN'S BILL BECAUSE THE CONFERENCE REPORT IN MY MIND MAKES FUNDAMENTAL CHANGES TO SEVEN VERY IMPORTANT PROVISIONS THAT WERE PUT IN LAW LAST YEAR THAT ENSURED OUR SOLDIERS WOULD NEVER BE FORGOTTEN. SOME OF THE PROVISIONS WHICH NEVER SHOULD HAVE BEEN CHANGED INCLUDE:

- 1) REQUIREMENTS THAT MILITARY COMMANDERS REPORT AND BEGIN SEARCHING FOR A MISSING SERVICE MEMBER WITHIN 48 HOURS, RATHER THAN 10 DAYS.
- 2) REQUIREMENTS THAT IF A BODY IS RECOVERED AND CANNOT BE IDENTIFIED BY VISIBLE MEANS, THAT A CERTIFICATION BY A CREDIBLE FORENSIC AUTHORITY MUST BE MADE.
- 3) REQUIREMENTS THAT THE STATUS OF PERSONS WHO WERE LAST KNOWN TO BE ALIVE ARE REVIEWED EVERY THREE YEARS IF, AND ONLY IF, THE NEXT OF KIN REQUEST A REVIEW.
- 4) REQUIRING CRIMINAL PENALTIES FOR GOVERNMENT OFFICIALS WHO KNOWINGLY AND WILLFULLY WITHHOLD INFORMATION RELATED TO THE DISAPPEARANCE, WHEREABOUTS AND STATUS OF A MISSING PERSON.

MR CHAIRMAN, AS YOU KNOW, MANY OF US HAVE FOUGHT WITH YOU TO HAVE THESE REQUIREMENTS PUT IN LAW FOR A LONG TIME NOW. THESE ARE ISSUES WHICH ARE OF GREAT IMPORTANCE, PARTICULARLY TO THE FAMILIES OF THOSE WHO HAVE NOT YET COME HOME. THIS LAW WILL NOT ONLY ENSURE THAT FOREIGN GOVERNMENTS WORK WITH US, BUT IT WILL HELP ENSURE THAT OUR OWN GOVERNMENT IS HELD RESPONSIBLE TO THOSE WHO HAVE FOUGHT BRAVELY FOR AMERICA.

AS MANY OF YOU KNOW, I WAS, AND STILL AM, VERY MUCH OPPOSED TO THE NORMALIZATION OF 22 RELATIONS WITH VIETNAM. I SIMPLY DO NOT BELIEVE THAT NORMALIZATION WILL MAKE VIETNAM ANY MORE GENEROUS IN TURNING OVER THEIR RECORDS TO US THAN THEY HAVE BEEN IN THE PAST. VIETNAM'S DESIRE FOR NORMAL DIPLOMATIC RELATIONS WAS THE ONLY

INCENTIVE THEY HAD TO IMPROVE COOPERATION. THAT INCENTIVE IS NOW GONE. FURTHERMORE, IN THE TIME SINCE NORMALIZATION, THERE HAS NOT BEEN THE GREAT IMPROVEMENT IN COOPERATION THAT WAS PROMISED. BY TAKING OUT THESE CRUCIAL PROVISIONS OF OUR CURRENT MISSING PERSONS SECTION NOW, CAN WE 23 NOT SAY THE SAME THING ABOUT OUR OWN GOVERNMENT? WITHOUT THIS LANGUAGE, WHAT INCENTIVES WILL THEY HAVE TO CONTINUE TO MEET THEIR OBLIGATIONS TO THE FAMILIES AND THE AMERICAN PUBLIC? MR CHAIRMAN, THE CHANGES THE CONFERENCE REPORT MADE ARE UNACCEPTABLE. THEY ARE CHANGES TO CURRENT LAW--LAW WHICH I THINK GUARANTEES THAT NO SERVICEMAN WILL BE FORGOTTEN, NO ONE WILL BE OVERLOOKED, AND SOMEONE IN THIS GOVERNMENT WILL BE MADE ACCOUNTABLE. THE MEMORY AND THE FAMILIES OF OUR POWs AND MIAs DESERVE NO LESS.

24 MR CHAIRMAN, AS YOU KNOW, THIS IS A PERSONAL ISSUE FOR ME. I WAS A POW IN VIETNAM FOR NEARLY SEVEN YEARS. BUT I WAS ONE OF THE LUCKY ONES, I MADE IT HOME. I HAVE FRIENDS WHO ARE STILL LISTED AS MISSING IN ACTION AND WHO HAVE NEVER RETURNED FROM THE VIETNAM WAR. I WOULD HOPE THAT THIS GOVERNMENT WOULD HAVE MORE RESPECT FOR THOSE AND FOR THE FAMILIES OF THOSE WHO GAVE EVERYTHING IN THE NAME OF FREEDOM. I URGE ALL MY COLLEAGUES TO SUPPORT HR 4000, AS IT WILL RESTORE NOT ONLY THE PROVISIONS WHICH HAVE BEEN FOUGHT FOR, BUT IT WILL ALSO RESTORE A SENSE OF INTEGRITY AND HONOR TO A GOVERNMENT (AN ADMINISTRATION) WHICH IS SORELY IN NEED OF IT.