

JOINT POW/MIA ACCOUNTING COMMAND

PREPARED STATEMENT FOR THE RECORD FOR THE HOUSE ARMED SERVICES COMMITTEE MILITARY PERSONNEL SUBCOMMITTEE

SUBJECT: JPAC Information Value Chain and Standard Operating Procedure

STATEMENT BY: Paul M. Cole, PhD, ORISE Fellow, Central Identification Laboratory, Joint POW/MIA Accounting Command, Joint Base Pearl Harbor-Hickam, Honolulu, Hawaii

1 AUGUST 2013

Chairman Wilson, Ranking Member Davis, and distinguished members of the Subcommittee.

Thank you for the invitation to appear before this Subcommittee today. This hearing marks the third time I have been extended the privilege to testify before Congress concerning POW/MIA issues. In 1992, I appeared before the Senate Select Committee on POW/MIA Affairs “Hearings on Cold War, Korea and WWII POWs.” In 1996, I testified before the House Committee on National Security’s Military Personnel Subcommittee’s “Status of POW/MIA Negotiations with North Korea” hearings.

Today, I appear in my personal capacity to discuss the Joint POW/MIA Accounting Command (“JPAC”) draft Information Value Chain Study (“IVC Report”), and JPAC Standard Operating Procedure (“SOP”), both of which I produced. My prepared statement and testimony today, which represent my personal views and opinions, do not reflect the views or opinion of the US Government, Department of Defense, JPAC or anyone else.

This statement provides the Committee with a brief overview of the purpose and utility of the SOP and IVC Report project. The statement ends with a discussion of some improvements that have been implemented at JPAC as well as a summary of issues that in my view require further attention.

The origin of my involvement with the production of the IVC Report and SOP began after March 2010 when the Oak Ridge Institute for Science and Education (“ORISE”) appointed me as a Fellow at the JPAC Central Identification Laboratory (“JPAC-CIL” or “CIL”).

My initial assignment was to assess the process used by the JPAC-CIL to locate, recover and identify human remains associated with the Korean War. The objective was to assess the identification process from a business perspective in order to determine whether the process could be made more efficient.

In May 2010, senior JPAC-CIL managers were asked to brief the Commanding General JPAC (“CGJPAC”) MG Stephen Tom about my work on the Korean War identification process. At approximately the same time LTC Timothy Duffy, the Joint Chiefs of Staff Vice Chairman’s advisor on the POW/MIA Accounting Community, was motivating the command group to produce a JPAC SOP.

In May 2010 the CGJPAC offered me the opportunity to produce the JPAC SOP and IVC Report. My skill sets and experience with similar projects with the Center for Strategic and International Studies, the RAND Corporation, the World Bank, UNDP, USAID, other NGO’s and private clients were a good fit with the proposed project, so I accepted the assignment (hereinafter the “Project”). For the purpose of the Project, I reported directly to Col. John Sullivan, JPAC Deputy Commanding Officer (“commissioning DCO”).

The commissioning DCO advised the directors and deputy directors of JPAC’s various sections and detachments, repeatedly in writing and again in several meetings, that this was a command-authorized Project under the direct supervision of the commissioning DCO.

The concept for the Project was to “take a snapshot” of JPAC’s operations and procedures. The purpose of the “snapshot” was to provide a detailed, empirical dataset on which to base the envisaged SOP. The commissioning DCO expressed preference for an assessment of the “inputs and outputs” in the JPAC production process. A simplified version of the Leontief Input-Output Model was selected as the appropriate analytical method for this analysis.

The product of the Leontief Input-Output analysis was intended to contribute to the JPAC senior management and command’s ability to identify excess production, reconcile disputes and eliminate waste. The production and consumption matrix produced for the Project is attached as an annexure to the IVC Report. The Leontief Input-Output analysis also produced quantifiable, empirical data that were used to draft the SOP.

JPAC’s Congressionally-authorized product, the identification of human remains, requires an information-intensive production process. The production process requires Knowledge Workers who have the skill sets and experience necessary to collect, process, package, distribute and interpret information with optimal effect. The initial research step, therefore, was to survey the various JPAC sections and detachments to determine the pattern and effectiveness of communication and information flow within the organization. The result of that exercise indicated that a problem with the creation and transfer of information existed within JPAC.

The Leontief Input-Output Model therefore needed to be complemented by an assessment of JPAC’s information value chain. The concept of supply chain management in manufacturing is familiar to most managers. A similar management concept, the Information Value Chain (“IVC”), addresses the creation, processing, and transfer of information within a knowledge-based organization. An IVC assessment was selected as the appropriate analytical method.

The data in the IVC Report were generated by a series of written surveys and face-to-face interviews with the directors and deputy directors of JPAC’s various sections and detachments.

During the course of the Project, Congress made two fundamental changes that affected every aspect of the Accounting Community in general, and JPAC in particular. NDAA 2010, which changed the status of all pre-enactment POWs and MIAs to “missing persons,” also eliminated two methods of identification. As of October 2009, when H.R. 2647 (111th) was signed into law, only one method to account for missing persons was authorized. NDAA 2010 defined “accounted for” as the “meaning given such term in section 1513(3)(B) of Title 10, United States Code,” viz,

The remains of the person are recovered and, if not identifiable through visual means as those of the missing person, are identified as those of the missing person by a practitioner of an appropriate forensic science.

Congress eliminated all other accounting methods including “fullest possible accounting.” The single authorized accounting method significantly enhanced the importance of scientific evidence while downgrading the role of circumstantial information in the identification process. An IVC survey revealed that 60 percent of JPAC’s sections disagreed with the single authorized accounting method. After four years, the single accounting method has yet to be fully implemented.

With regard to the Project’s products, in contrast to media reports, the IVC Report does not conclude and I do not share the view that the entire JPAC operation is “dysfunctional.” The IVC report clearly and repeatedly states that the Investigative Team program, which is the procurement step in the JPAC production process, has been and continues to be dysfunctional.

The distinction between procurement and laboratory operations is essential to understanding JPAC operations. The dysfunctional procurement program is controlled by the J2 section, now known as Research and Analysis (“R&A”), which has had sole responsibility for the procurement of human remains since 2005. The IVC Report concludes that the J2/R&A’s procurement program, not JPAC, is dysfunctional.

The IVC Report states that an evaluation of the JPAC-CIL’s scientific competence exceeded the scope of the Project. Assessments by competent authorities, however, confirm that the scientific integrity of the JPAC-CIL has not been compromised and that laboratory operations are not dysfunctional. The dysfunctional J2/R&A plays no role in laboratory operations.

The commissioning DCO was briefed or consulted in excess of thirty hours during the course of the Project. The CGJPAC, who was briefed on numerous occasions, also requested several memoranda and other Project products. In addition, the commissioning DCO organized and chaired a day-long off-site conference for deputy directors of all JPAC sections where the interim findings of the project were presented and offered to the participants for comment and feedback. With the exception of the commissioning DCO’s comments, no feedback or comments from any of the other participants were provided after any of these events.

On 21 September 2011, a draft of the IVC Report and the final draft of the JPAC SOP were submitted to the CGJPAC. No comments or feedback were provided.

In late January 2012, the draft IVC Report was posted to an internal JPAC share point by incoming DCO Col. Alan Thoma (“Incoming DCO”). The incoming DCO posted the report to the internal JPAC share point prior to reading it. The incoming DCO’s letter concerning this event is attached as an annexure to this statement (below).

Following the posting of the report, the CGJPAC advised me that he had read the IVC Report and intended to use it. On 3 February 2012, the CGJPAC “disavowed” the IVC Report. The CGJPAC did not include me on the distribution list. I was advised about the CGJPAC’s letter by a third party. A copy of the CGJPAC’s letter is attached to this statement (below).

The CGJPAC’s letter included, *inter alia*, the following concerns about the IVC Report:

I do not endorse it or any part of it. I do not find merit in the finding, conclusions or recommendations. Some parts of the ICVR (sic) are poorly written, reflect a bias, and contain findings and recommendations that go beyond the intended scope of the report.

The CGJPAC expressed none of these concerns to me prior to disavowing the IVC Report. No evidence to support the finding of “bias” in the CGJPAC’s letter has been presented.

Following the CGJPAC’s “disavowal,” within a short period of time one or more unauthorized releases of the IVC Report occurred. This is how the draft IVC Report appeared in the public domain.

The motives for the unauthorized release(s) have yet to be revealed. To my knowledge, no disciplinary action was taken against any of the persons responsible for the unauthorized disclosures. I did not make any unauthorized release of the IVC Report. In fact, just the opposite is true. I protected the IVC Report because it was designed and intended to be a close-hold, top management document, available to perhaps two or three senior JPAC managers. If it were made public, the IVC Report would lose its utility as a management tool. And so it has.

Due to the unauthorized leaks, the IVC Report came to the attention of several parties outside of JPAC, including the media. Were it not for this chain of events, the probability that we would be meeting here today is rather remote.

With regard to the SOP, the purpose of the IVC Report was to reveal problems in the JPAC production process. The purpose of the SOP was, in part, to provide solutions to those problems. The original draft of the SOP addressed several process problems that were revealed by the IVC Report. Unfortunately, several important solutions in the draft SOP were not implemented.

After the draft SOP was submitted, I did not see the document again until the official version had been signed by the CGJPAC and posted on the JPAC portal. I was not involved with the revision of the SOP. A comparison of the original draft SOP and the final text signed by the CGJPAC reveals fundamental differences. For example, the original draft SOP required the J2 section to report quantifiable metrics as well as to implement several basic accountability measures. All of the proposed J2 accountability measures and reportable metrics were removed from the draft SOP after it was submitted to the CGJPAC.

With regard to “military tourism,” the term was first used by the CGJPAC to describe the activities of the J2’s Investigative Team mission program. “Military tourism” is a toxic cocktail of improper research methods facilitated by weak management, poor leadership and absence of accountability. The young employees who participated in “military tourism” should not be held accountable, as they lacked the experience, integrity or seniority to decline to participate. In contrast, over a number of years various JPAC commanders, managers, and senior staff members were well aware that “military tourism” was taking place. Various managers and participants were aware of the expense, nature and poor results that “military tourism” produced. The commanders, managers and senior staff who approved requests for or participated in “military tourism” should be held accountable for any travel that was unnecessary or excessive.

The fundamental, chronic problem that continues to plague JPAC concerns the low quantity and marginal quality of remains coming into the JPAC-CIL as a result of the failure of the J2/R&A Investigative Team program’s procurement activities. The accessions acquired annually since 2005 are sufficient to allow the CIL to produce only a small percentage of the 200 identifications Congress required JPAC to make per year beginning in FY15.

In order to produce 200 identifications per year from accessions obtained from field activities, a minimum of 250 sets of high-quality human remains should be accessioned by the JPAC-CIL per year. Between 2005-2013, JPAC’s Investigative Team procurement program, which should have produced a minimum of 2,250 high-quality accessions, produced only 595, an average of less than 59 accessions per year, a cumulative shortfall of at least 1,655 accessions.

The IVC Report concluded that the J2/R&A problem was inefficiency, not economy of scale. Despite the fact that growth was contraindicated, the JPAC command group significantly increased the human resources and funding for the J2’s “military tourism” program. The CGJPAC designated 2013 as the “Year of the J2,” with the expectation that the results generated would be measured in increased accessions in 2014. The wisdom and requirement for such an investment were questioned at the time, to no avail. Today, the results speak for themselves. The “Year of the J2” has produced no meaningful increase in sites designated for excavation. One may anticipate, however, that this failure will be attributed to sequestration.

When the identifications deriving from disinterments, the K208 collection, and remains found by third parties (aka “unilateral turnovers”) are deducted from JPAC’s total annual production, the number of identifications produced from remains acquired by efforts attributable to the Investigative Team procurement program is in the high teens, perhaps low twenties. This is an unacceptably low return on an investment of tens of millions of dollars.

The situation at JPAC following the leak of the IVC Report has not been all doom and gloom. Various improvements – some large, some small, others inchoate – have been initiated or realized. Earlier this year, the American Society of Crime Laboratory Directors (ASCLD-LAB) accreditation of the JPAC-CIL was renewed for another five years. The JPAC-CIL, which became the second US Government laboratory to be accredited to the international standard by ASCLD-LAB, is still the only skeletal laboratory in the USA to be so accredited. During the

timeframe of the IVC Report, the JPAC-CIL was asked by Ms Kathryn Condon, Executive Director of the Army National Cemeteries Program, to come to the assistance of Arlington National Cemetery in order to resolve some of the problems that had come to light there. These achievements are further confirmation that the scientific integrity of the JPAC-CIL's laboratory operations is uncompromised as well as consistent with best international practice.

The original draft SOP created an Investigation Decision Board ("IDB") that was assigned the responsibility to assess Investigative Team proposals in order to deter "military tourism." Before it was implemented, the SOP was amended by the command group to allow the J2, the section that presents to the IDB, to select its own agenda, vote on its own proposals, then evaluate the results. Other voting members were added, including External Relations and J5/Policy, which lack the skill sets to evaluate investigative mission proposals. The current IDB, while flawed, is an incremental improvement over the previous system that had no controls whatsoever. The integrity and effectiveness of the IDB could be improved rather easily, should the will exist to do so.

Another area of improvement concerns the production of field maps. A properly-trained JPAC-CIL Recovery Leader is now responsible for conducting site assessments on Investigative Team missions, which includes mapping and evidence collection. The quality and reliability problems in field map production that were identified in the IVC Report have been successfully resolved by this solution.

Progress has also been made on the JPAC-CIL's program of disinterment for the purpose of identification. The JPAC-CIL is on track to make at approximately 30 identifications per year from the disinterment of Korean War unknowns from the National Memorial Cemetery of the Pacific. Ironically, the success of the disinterment for the purpose of identification program continues to divert attention from the failure of the Investigative Team procurement program.

There is, however, a serious problem in the disinterment program that needs to be resolved.

Prior to the disinterment of an unknown for the purpose of identification, the JPAC-CIL Scientific Director must determine that there is a high probability that the unknown may be identified using current forensic scientific methods. DoD policy, which worked well after its implementation in 1999, stated that the disinterment decision should be based on the merits of each case, derived from scientific evidence and circumstantial information. During the course of the IVC Project, it became clear that elements within the DoD as well as certain lobbyists were determined to change DoD policy in order to undermine the JPAC-CIL disinterment program.

The on-going interference in the JPAC-CIL's disinterment program creates confusion, introduces needless complexity and drags out the decision-making process unnecessarily. Were it not for this interference, the number of identifications from disinterments could be increased considerably. This is due, in part, to the fact that a disinterment for the purpose of identification is the most information-intensive of all of JPAC's activities. Denying the JPAC-CIL the

authority to disinter unknowns based on scientific merit is prejudicial to the interests of the families of the missing in general, and the WWII families in particular.

There have been a few noteworthy improvements in the remains procurement effort, though the source of the innovation derives from sections other than J2/RA. An important effort to reverse the downward trend in the quantity and quality of accessions of remains was initiated by the JPAC Operations Directorate (J3), which has successfully created and implemented a new model for JPAC investigations in Papua New Guinea (“PNG”).

In September 2013, an overhead imagery project led by the J3 will begin to conduct mapping of aircraft crash sites in PNG.

- The project will utilize a relatively new technology, a multi-band synthetic aperture radar, or MB-SAR, which has been used to detect command wires for IEDs in Iraq and Afghan. JPAC will attempt to use MB-SAR to penetrate foliage in order to find concentrations of metal on the surface which may be WWII aircraft wreckage.

The use of a contracted force in PNG to perform an initial site visit will be the beginning of a systematic effort to clear PNG zone-by-zone.

- The intent is to use a contractor in Burma to provide a similar service as well as to capitalize on the recent success of an advertising campaign that uses a telephone hotline to receive tips and leads.

These types of innovation, which have produced initial successes, bode well for the future.

Finally, various media reports stated the IVC Report somehow concluded that JPAC was “snookered” by the DPRK into excavating “salted” sites. (A site is “salted” when remains are collected then buried with the intent to deceive the JPAC recovery teams.) First, the JPAC-CIL scientists were perceptive enough to determine that the sites were salted. Second, the JPAC-CIL scientists were skilled enough to determine that the salted sites included remains that were parts of some of the same individuals represented in the K208 collection that had been unilaterally turned over by the DPRK in the early 1990’s.

By combining the remains recovered from salted sites with the remains from the K208 collection, JPAC-CIL scientists have thus far been able to produce *over one hundred identifications of Korean War missing*.

DoD’s negotiating strategy toward the DPRK and the type of compensation paid could help minimize the salting problem. One option would be to pay the DPRK for the remains to be turned over without going through the charade and expense of “finding” remains in salted sites.

Nonetheless, the performance with regard to the salted sites in the DPRK is an example of the JPAC-CIL’s scientific ingenuity and skill that should make the entire Accounting Community as well as every member of this Subcommittee proud.

I look forward to your questions and thank you again for the opportunity to appear today.



JOINT POW/MIA ACCOUNTING COMMAND

310 Worcester Ave
Joint Base Pearl Harbor-Hickam, Hawaii 96853-5530

30 Jan 12

From: Deputy Commander, Joint POW/MIA Accounting Command
To: JPAC Team

Subj: JPAC'S INFORMATION VALUE CHAIN REPORT (DRAFT)

1. This letter is to provide clarification and perspective on the draft assessment titled "JPAC's Information Value Chain Report (IVCR)" otherwise referred to as the Efficiency Study.
2. The IVCR draft report was the result of a DCO tasking to look at the processes and efficiencies within the command in order to determine where improvements could be made as we move towards an increased tempo, budget constrained environment. The results of the assessment were to be used as a tool by JPAC senior management to support future planning considerations. What was posted was a raw, uncensored draft containing some contentious material and personalization not intended for open distribution or dissemination. My intent was to use any potential "nuggets" within the draft document during the Tiger Team effort; however, I failed to properly consider the nature of the report and fully review its content before making it available for the Tiger Team's use. Taken as a whole, I should not have included it as Tiger Team resource. As such, I have removed the report from the SharePoint and have postponed the Tiger Team to a later date. I am also recommending to the Commander JPAC that the document not be included in future planning efforts.
3. The draft IVCR is not an approved JPAC product. It has not been reviewed nor approved by the Commander JPAC; therefore, it does not have Command endorsement, and it should not be cited as an authoritative source for decision-making about efficiencies or processes within the command. Because of this and its content, the report should be considered sensitive and handled as FOUO. It should not be copied or distributed, especially outside of JPAC. The Commander JPAC will review the document and make any further decisions regarding it upon his return.
4. I apologize for any undue friction I inadvertently caused, and I thank you for your tolerance, patience and hard work. "Until they are home."


A. L. THOMA
Colonel, U.S. Marine Corps
Deputy Commander, Joint POW/MIA
Accounting Command



JOINT POW/MIA ACCOUNTING COMMAND
310 WORCHESTER AVENUE
JOINT BASE PEARL HARBOR-HICKAM HI 96853

3 February 2012

MEMORANDUM FOR JPAC STAFF

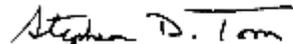
Subj: DISAVOWAL OF DRAFT EFFICIENCY STUDY

1. The draft assessment entitled "JPAC's Information Value Chain Report (IVCR)" otherwise known as the Efficiency Study is hereby disavowed, and rejected in its entirety. It may not be used for any purpose. The professional reputations of our staff are not to be considered sullied.

2. I have personally reviewed the draft ICVR in its entirety. Because the report was released prior to my approval, there may be a belief that I endorse the report. This is not true. The draft ICVR was mistakenly released before my review and approval. I do not endorse it or any part of it. I do not find merit in the finding, conclusions or recommendations. Some parts of the ICVR are poorly written, reflect a bias, and contain findings and recommendations that go beyond the intended scope of the report. I concur with the Deputy Commander's recommendation that this draft not be considered in future planning efforts, to include the Tiger Team.

3. The Command will not consider any allegations, findings or recommendations from the report. Therefore, the Command does not require or expect any rebuttal to the allegations and findings of the report. The Command does not consider the outstanding reputation, integrity and professionalism of the JPAC team to be in any way tarnished by this draft report. Each member of JPAC has worked hard to earn their valuable professional reputation; and, it is to be respected.

4. Unfortunately the draft Efficiency Report, or parts of it, may have been shared outside of JPAC. The draft report is marked FOUO and I direct that no further copying or sharing of the draft report be made. If outside parties ask about the draft report, all members of the JPAC team will inform the requestor that the ICVR has been disavowed by the Command and will not be shared and should defend the proud work that JPAC does to bring closure to the families of the missing.


STEPHEN D. TOM
Major General, United States Army
Commander, Joint POW/MIA
Accounting Command

CURRICULUM VITAE

NAME: Paul M. Cole, Ph.D.

PROFESSION

Political Economist / Management Consultant

EDUCATION:

PhD, Johns Hopkins Nitze School of Advanced International Studies, 1990

- American Foreign Policy (Major Field)
- International Relations Theory (First Minor Field)
- European Studies (Second Minor Field)
- MA Equivalency Exam in International Economics
- Professional certification in French and Swedish

MSFS, Edmund Walsh Graduate School of Foreign Service, Georgetown University, 1981

- Dual concentration in International Economics and Force and Diplomacy
- Winner of the Horace Porter Essay Competition
- Professional certification in French

BA, Gustavus Adolphus College, 1979

- International Studies (Major)
- Languages (French, Swedish) and History (Minors)

KEY QUALIFICATIONS

Dr. Cole provides economic analysis and management consulting services to business, governments and academia. Since March 2010, he has been a visiting ORISE Scientific Fellow at the ASCLD-Lab accredited Central Identification Laboratory, located at the Joint POW/MIA Command, Joint Base Pearl Harbor-Hickam, Honolulu, Hawaii.

Dr. Cole's academic training includes three inter-disciplinary degrees (BA, MSFS and PhD) that were built around international economics and analytical techniques. For more than a decade, he applied these skills at three of the world's most influential think tanks, the Rand Corporation and the Center for Strategic and International Studies and the Carnegie Endowment. He taught at Georgetown University and the University of Southern California.

In the 1980s, Dr. Cole specialized in the economics of defense, political-military affairs and high-technology sector analysis, with particular attention on political economy, security policy and international relations. Since 1993, Dr. Cole has focused on private sector business, with emphasis since 1996 on the telecommunications sector.

Dr. Cole was resident and worked in Africa from 1998-2010.

CURRENT ASSIGNMENT

Visiting Fellow, Oak Ridge Institute for Science and Education, Central Identification Laboratory (CIL), Joint POW-MIA Accounting Command (JPAC), Joint Base Pearl-Hickam. www.jpac.pacom.mil

Researched, designed, produced and a Standard Operating Procedure (SoP) for the entire JPAC command.

Primary investigator and author of a year-long JPAC Information Value Chain study that focused on how to improve efficiency within the accounting command.

Represent the Central Identification Laboratory on the DoD Defense Forensic Enterprise steering group.

Designed, created and populated several databases dealing with biological material, particularly the use of databases to increase the efficiency and effectiveness of the identification process.

On-going analysis of the National Defense Authorization Act (NDAA) as well as various DoD Directives and Instructions, to determine implications for the CIL.

AFFILIATIONS

Non-Resident Fellow, Institute for Near East and Gulf Military Analysis (INEGMA, www.inegma.com) Dubai UAE

Board Member, Scandinavian National Council, Gustavus Adolphus College, St. Peter, MN

Editorial Board, *Reflections Turkey* (www.reflectionsturkey.com), Istanbul, Turkey

END