

# **ROBERT L. COWLES**

**Wisconsin State Senator, 2nd Senate District**

**STANDING COMMITTEES:**

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## **Testimony on 2023 Senate Bill 8**

**Senator Robert Cowles**

**Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs**

**August 8th, 2023**

Thank you, Chair Testin and Committee Members, for holding a hearing on 2023 Senate Bill 8. This legislation would advance UW Missing-in-Action Recovery and Identification Project's investigation and recovery missions.

Service members enter the armed forces understanding that they may be putting their life on the line for our country, but these members and their families don't expect, if the unfortunate happens, that their remains will never be seen again. Unfortunately, since World War II, for 80,000 U.S. service members, including more than 1,500 Wisconsin service members, this is their reality as they're still reported as Missing-in-Action.

The University of Wisconsin Missing-in-Action Recovery and Identification Project (UW MIA RIP) was created by a dedicated leader, Charles Konsitzke of UW-Madison's Biotechnology Center, with no commitment from the University other than allowing him to take time and create a team. They work with the Department of Defense (DOD) which assigns missions to investigate, identify, recover, and repatriate service members lost in World War II, Korean, Vietnam, and other global conflicts in recent history.

UW MIA RIP was the first of its kind in the nation, and remains the only full service University in the United States to offer investigations, DNA identifications, and recoveries. UW MIA RIP has done all of this only with some DOD funding, external fundraising, and the commitment of dedicated students and faculty giving their own time to this important mission to deliver honor to passed service members and provide closure to families.

While UW MIA RIP has done phenomenal work in the past decade, they largely rely on the cases DOD assigns to them, and DOD isn't required to assign missing Wisconsin service members to UW. This is where Senate Bill 8 comes in. By providing state support to UW MIA RIP, we can ensure that the cases of Missing-in-Action Wisconsinites rise to the top of the pile by allowing UW MIA RIP leaders to choose to prioritize cases with ties to our state, and Wisconsin families can finally lay their deceased to rest with honor.

Each mission takes time and resources. The funds in Senate Bill 8 aren't to provide new UW-Madison administrators; they're to let the experts bring Wisconsin service members home. Through this bill, we're looking to fund extensive investigations to learn of the final moments and likely whereabouts of fallen heroes. We're looking to provide money necessary for trips to the places where service members currently lie. We're looking to ensure we can positively identify remains to lessen the backlog of 1,500+ fallen Wisconsin service members. And we're looking to allow UW MIA RIP to bring the stories of heroism from these fallen service members to light.

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These service members, their families, and their brothers in arms have for too long had to go on without answers. The least we can do is dedicate a small bit of funding to provide closure and honor their sacrifice. A dedicated man at UW-Madison with a vision led the effort to create this nationally-renowned team located at our flagship university. Now it's on us to lead by being the first state legislature in the nation to fund this important mission to bring home our own state's Missing-in-Action heroes.

Earlier this session, the companion to 2023 Senate Bill 8, Assembly Bill 26, received a 13 – 0 vote in the Assembly Committee on Veterans and Military Affairs. Additionally, similar legislation to this bill has passed the Senate in the previous two legislative sessions and the Assembly in the 2019-2020 Legislative Session, all with unanimous roll call votes, but the bills have not yet made it to the Governor to be signed into law.



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# TONY KURTZ

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STATE REPRESENTATIVE • 50<sup>th</sup> ASSEMBLY DISTRICT

**2023 Senate Bill 8**

*Relating to: Funding UW-MIA Recovery Program*

August 8, 2023

Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs

Thank you, Chairman Testin, for holding a public hearing on Senate Bill 8, and thank you to the members of this committee for taking the time to hear my testimony.

Volk Field Air National Guard Base is located in the 50<sup>th</sup> Assembly District. What you may not know is that it is named after 1<sup>st</sup> LT Jerome Volk, the first Wisconsin Air National Guard pilot killed in combat in the Korean War. There are members of his family who are still waiting for 1<sup>st</sup> LT Volk's remains to be found and brought home.

Wisconsin has more than 1,500 service members who, like 1<sup>st</sup> LT Volk, are listed as missing in action. This bill funds the recovery, identification, and repatriation of these MIA service members. Currently, the UW-Missing-in-Action Recovery and Identification Project (UW-MIA RIP) deploys a team of UW-System experts and volunteers to research and recover the remains of MIA Service Members in conjunction with the U.S. Department of Defense.

This program has already proven to be a more efficient use of tax payer dollars when compared to the DoD's own Department of POW/MIA Accounting Agency. A single federal recovery mission can cost anywhere from \$1-1.5 million and takes up to 2 years to complete. By contrast, the UW project's recoveries only cost an average of \$180,000 per mission and can identify remains within a month.

We have an obligation to do all we can to bring 1<sup>st</sup> LT Volk and the rest of Wisconsin's fallen troops home. These service members were not just Soldiers, Airman and Marines. They were someone's loved one. Losing them under any circumstance would be a tragedy and the grief is compounded each year the family waits for closure. This bill provides the opportunity for closure while honoring our commitment to the members of our armed forces who have literally given all to defend our freedom.

Thank you again for this opportunity to present my testimony on SB 8. I'd be happy to answer any questions at this time. Please know there will be additional expert testimony today that may be able to answer more detailed questions if necessary.



**Senate Committee on Labor, Regulatory Reform, Veterans & Military Affairs**

2023 Senate Bill 8

*University of Wisconsin Missing-In-Action Recovery  
and Identification Program*

August 8, 2023

Chairman Testin and members of the Senate Committee on Labor, Regulatory Reform, Veterans & Military Affairs:

My name is Charles Konsitzke, and I am the associate director of the University of Wisconsin Biotechnology Center, and founder and team lead of the University of Wisconsin Missing-in-Action Recovery and Identification Project. I would like to begin by thanking you all for the opportunity to testify and express the UW Missing-in-Action Recovery and Identification Project's support for Senate Bill 8, which would provide over \$180,000 annually to our team for investigating, scouting and recovery attempt missions of missing in action service members from our state.

Of the over 82,000 American service members from around the country that remain unaccounted for from conflicts spanning from December 7<sup>th</sup>, 1941 at the outset of America's involvement in the Second World War, to the present, over 1,500 are from Wisconsin. Every corner of the state is still missing at least one servicemember.

These missing include those of a group of young Wisconsin men who fought and were trapped in the Philippines in spring of 1942, captured by the Imperial Japanese Army, and endured the Bataan Death March. Over three years of harsh imprisonment they faced disease, malnutrition, negligence, and brutality, and collectively came to be known as "the Janesville 99."

Missing servicemembers also include Wisconsin soldiers whose remains are somewhere in the jungles of New Guinea, Wisconsin Coast Guardsmen who went down in the icy North Atlantic on the USS Escanaba in 1943, Wisconsin airmen whose remains are below the surfaces of the fields of Northern France, Wisconsin soldiers whose remains are still buried somewhere on a Belgian hillside after their loss

**Help us bring  
our heroes  
home.**

To make a contribution, visit  
[mia.biotech.wisc.edu/donate/](http://mia.biotech.wisc.edu/donate/)

**UW Missing in Action  
Recovery & Identification Project**  
425 Henry Mall, Suite 3130  
Madison, WI 53706  
(608) 890-4889



during the initial stages of the Battle of the Bulge, and Wisconsin soldiers, airmen, and Marines at or above the 38<sup>th</sup> Parallel on the Korean Peninsula, to name only a few.

This team has been the most dynamic collaboration of fellow students (including student veterans), staff, faculty, and alumni that I've witnessed across UW-System institution campuses, consisting of individuals from a host of interdisciplinary backgrounds that include history, anthropology, archaeology, biology, business, computer science and genetics.

With the state's support, our team will be enabled to focus on these 1,500 missing Wisconsinites. It will allow the team to begin to locate and recover as many of these individuals as possible and bring them home while also continuing our partnership with the federal Defense Prisoner of War/Missing in Action Accounting Agency.

I would like to close by thanking all the bill authors, Representatives Kurtz and Sinicki and Senators Cowles and Hesselbein, as well as all legislative staff who have assisted us along the way. Thank you again to the committee and, at this time, I am available to answer any questions.

**Help us bring  
our heroes  
home.**

To make a contribution, visit  
[mia.biotech.wisc.edu/donate/](http://mia.biotech.wisc.edu/donate/)

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Founded on four pillars:

- Veterans Affairs & Rehabilitation
- National Security
  - Americanism
- Children & Youth

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*The mission of The American Legion, Department of Wisconsin is to provide service to veterans, their families and their communities.*

Chairman Testin and members of the Labor, Regulatory Reform, Veterans, and Military Affairs Committee, I am Paul Fisk Legislative Chair of The American Legion, Department of Wisconsin. The American Legion is the largest Veterans Service Organization in the Nation. In Wisconsin, we have over 50,000 members. We have just over a century of advocating for veterans and service members.

I wish to thank the University of Wisconsin for developing this project. It will provide valuable experience for those members of the University Community who work on it. I also want to thank the members of the Legislature and their staff for putting this valuable piece of legislation together. A special thanks to Senator Cowles (R) Green Bay and Representative Kurtz (R) Waukegan for their role in bringing this bill forward. SB-8 relating to the University of Wisconsin Missing-in-Action Recovery and Identification Project has the full support of The American Legion Department of Wisconsin..

For over a generation The American Legion has supported legislation and programs to learn the fate of those missing and to recover their remains. We must continue the work to achieve closure for the families of our comrades. It is important to these families to know what happened to their loved one. It is a step forward that Wisconsin will work to bring this needed closure to Wisconsin families. The active role of the people of Wisconsin will make a difference.

The American Legion on both the national stage and here in Wisconsin works tirelessly to keep this issue front and center. At each Legion event there is either an empty chair or table to focus attendee's attention to those still missing. In many communities there is a silent march held in September. The participating Posts bring their colors and march several blocks to only the beat of a drum. It is a moving experience.

This bill gives hope to families. We have seen the effect on families when they learn the fate of their loved one and the remains are returned home.

Respectfully Submitted,

Paul Fisk  
Legislative Chair  
The American Legion, Department of Wisconsin

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
INDIANAPOLIS, INDIANA  
May 7-8, 2003**

**Resolution No. 23: POW/MIA Remembrance Vigil**

Submitted by: Internal Affairs Commission

WHEREAS, our missing comrades known as POW and MIAs are foremost in the hearts and minds of all veterans of all wartime eras; and

WHEREAS, The American Legion with its Resolution 288, adopted at its 67th National Convention, encourages all American Legion organizations to "implement the Empty Chair Program at all meetings of The American Legion so that it becomes a continual symbol of the POW/MIA's and the cause for which we stand, namely their return and or a full accounting thereof; and

WHEREAS, The American Legion Department of New Hampshire has for the past four continuous years held a POW/MIA Remembrance Vigil known as The Spirit of The Eagle; and

WHEREAS, many of the Departments in The American Legion hold their own remembrance vigils at the same time; and

WHEREAS, National POW/MIA Recognition Day is held in September each year; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, May 7-8, 2003, That The American Legion supports the idea that a POW/MIA Remembrance Vigil should be held by each Department of The American Legion; and, be it finally**

**RESOLVED, that all Departments of The American Legion be urged and encouraged to hold their POW/MIA Remembrance Vigil during the week of the annual National POW/MIA Recognition Day, which has been established as the third Friday in September.**

**NINETY-NINTH NATIONAL CONVENTION  
OF  
THE AMERICAN LEGION  
Reno, Nevada  
August 22, 23, 24, 2017**

**Resolution No. 22: POW/MIA Policies**

**Origin: Maryland**

**Submitted by: Convention Committee on National Security**

**(As amended)**

WHEREAS, American servicemembers and civilians remain missing or otherwise unaccounted for from America's past wars and conflicts, and reports indicate that cases of Americans last known alive, information regarding their fates is still illusive; and

WHEREAS, The families of POW/MIAs suffer untold uncertainty due to the lack of information about and accounting for their missing loved one, often in spite of heroic efforts by U.S. specialists; and

WHEREAS, The National Defense Authorization Act (NDAA) of 2010 called upon the secretary of defense to provide funds, personnel, and resources to significantly increase the capability and capacity of the Department of Defense (DOD) to account for missing persons so that, beginning with fiscal year 2015, at least 200 missing persons are accounted for annually under the program; and

WHEREAS, Improvements in foreign government cooperation have helped identify locations of incident sites that may enable remains of U.S. personnel to be recovered and identified by the U.S. Government; and

WHEREAS, Promising advances in scientific DNA capabilities and other identification techniques involving radiographic comparison and facial superimposition have dramatically increased the U.S. Government's ability to identify remains of unaccounted for servicemen and civilians for whom identification had not earlier been possible; and

WHEREAS, Each member of the DOD POW/MIA accounting community plays a vital role in the mission to account for missing and unaccounted for U.S. servicemen and civilians from our nation's past wars and conflicts; and

WHEREAS, The secretary of defense recently directed "complete reorganization" of the DOD POW/MIA accounting community, a consolidation encouraging to family members and veterans, though close scrutiny for viability will continue to be required; and

WHEREAS, The Defense POW/MIA Accounting Agency was formed as a result of the defense secretary's directive for "complete reorganization" and is responsible for policy control and operational implementation to achieve the fullest possible accounting for missing U.S. personnel; and

WHEREAS, The POW/MIA accounting effort should continue to be a matter of highest national priority until all reasonable actions have been taken to achieve the fullest possible accounting for all U.S. personnel; and

WHEREAS, The American Legion fully supports and advocates for the fullest possible accounting of missing Americans, in every country, on every continent; and



WHEREAS, The American Legion believes U.S. Government POW/MIA operations, though currently still inadequate, are achieving substantial progress; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Reno, Nevada, August 22, 23, 24, 2017, 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 past conflicts and current and present wars; and, be it further**

**RESOLVED, That The American Legion urges the president and members of Congress to speak out on every occasion on the need to expedite the return of U.S. personnel still missing and unaccounted for, 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 sustain use of all necessary resources to achieve the fullest possible accounting of missing American servicemembers and designated civilians regardless of location or era of loss; and, be it further**

**RESOLVED, That The American Legion calls upon Congress to provide full funding for the Defense POW/MIA Accounting Agency to meet requirements for personnel and operations to achieve accounting goals and to ensure these funds not be redirected by the Department of Defense for any other purpose; 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 the affected families and for 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 oversee plans and policies to ensure continued priority by the executive branch in addressing requirements to achieve the POW/MIA accounting goals; and, be it further**

**RESOLVED, That The American Legion calls upon the president to strengthen the U.S.-Russia Joint Commission on POW/MIAs, and to initiate similar such commissions with the People's Republic of China, and Democratic People's Republic of Korea to increase POW/MIA accounting and recovery efforts; and, be it further**

**RESOLVED, That The American Legion calls upon the president and Congress to continue taking favorable steps with the Socialist Republic of Vietnam as Hanoi increases efforts to provide the fullest possible accounting for U.S. personnel still missing in Vietnam or in areas of Laos and Cambodia controlled by Vietnam during the Vietnam War; and, be it finally**

**RESOLVED, That "fullest possible accounting" is defined as releasing live prisoners, repatriating remains of those killed in action or who died in captivity, or providing convincing evidence as to why neither is possible.**

**SEVENTY-SIXTH NATIONAL CONVENTION  
OF  
THE AMERICAN LEGION  
MINNEAPOLIS, MINNESOTA  
SEPTEMBER 6-8, 1994**

**Resolution No. 206: Flying POW/MIA Flag**

**Origin: New York**

**Submitted by: Convention Committee on Foreign Relations**

**(As amended)**

WHEREAS, The United States of America has been involved in at least four wars this century; and

WHEREAS, Thousand, of Americans served in the Armed Forces of the United States of America overcoming many great hardships; and

WHEREAS, Many who fought made the supreme sacrifice for their country and its high ideals; and

WHEREAS, Unfortunately, there are those who never returned home; they are those POW/MIA; and

WHEREAS, There has never been a satisfactory accounting of those POW/MIAs; and

WHEREAS, It is incumbent upon every American to remember the plight of the POW/MIAs; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Minneapolis, Minnesota, September 6, 7, 8, 1994, That The American Legion calls upon all Americans to fly the POW/MIA flag until a satisfactory accounting of every POW/MIA is completed.**

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
INDIANAPOLIS, INDIANA  
OCTOBER 15 - 16, 1997**

**Resolution No. 9: POW/MIA Memorial Highways**

**Origin: 1997 National Convention Resolution No. 202 (NY)**

**Submitted by: Foreign Relations Commission**

WHEREAS, There are thousands of American servicemen who have been classified as missing-in-action (MIA) or have been incarcerated as prisoners of war (POW) in the various wars of the 20th century in which the United States has participated; and

WHEREAS, Many thousands of these POW/MIAs have not yet returned to the United States nor has their fate been determined and disclosed; and

WHEREAS, The American Legion desires to properly acknowledge the sacrifices of these POW/MIAs and to keep this unresolved issue before the American people; and

WHEREAS, The American Legion has long taken the leading role in the attempts to learn the fate of our POWs and MIAs and secure their repatriation to the United States; and

WHEREAS, The State of New York, with the support of Suffolk and Nassau Counties and The American Legion Department of New York and Districts, has designated a highway on Long Island as the POW/MIA Memorial Highway; and

WHEREAS, The American Legion believes an extension of this highway name across the nation would help accomplish the aforementioned goal of keeping the issue before the American people; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 15-16, 1997, That The American Legion urge its Posts and Departments to assist in the effort to have an appropriate highway named the Prisoner of War (POW) Missing in Action (MIA) Memorial Highway with appropriate signage; and, be it finally**

**RESOLVED, That The American Legion Departments in the various states be further urged to select highways that will connect so as to form one uniform network of POW/MIA Memorial Highways.**



KEEPING OUR PROMISE TO  
AMERICA'S VETERANS

## Department of Wisconsin

**STATEMENT OF  
LARRY HILL  
DEPUTY BENEFITS PROTECTION TEAM LEADER  
DISABILITY AMERICAN VETERANS (DAV)  
DEPARTMENT OF WISCONSIN  
BEFORE THE  
COMMITTEE ON LABOR, REGULATORY REFORM, AND  
VETERANS AND MILITARY AFFAIRS  
WISCONSIN STATE SENATE  
AUGUST 8, 2023**

Chairman Testin, Ranking Member Wirch, and distinguished Members of the Committee:

Good morning (afternoon)! Thank you for allowing DAV (Disabled American Veterans) this opportunity to present our view on SB 8.

As you may know, DAV is a Congressionally Chartered, VA Accredited, nonprofit charitable veterans service organization (VSO) comprised of over 1 million wartime service-disabled veterans, nationwide. In Wisconsin, we have over 14,000 members.

For more than a century, DAV has been dedicated to a single purpose: empowering our nation's heroes and their families by helping to provide the resources they need and ensuring our nation keeps the promises made to them.

All our members are wartime wounded, injured or ill veterans, many of them severely. They have sacrificed much in defense of our freedoms.

An unfortunate reality of military engagement is that sometimes service members are held against their will as prisoners of war. Even worse, their whereabouts may become unknown, and they are then classified as missing in action or MIA.

Initially, the responsibility of search and recovery fell on the Department of Defense or DOD's Prisoner of War/Missing Personnel Office and the Joint POW/MIA Accounting Command. In early 2015, these organizations merged to create a new government group, the Defense POW/MIA Accounting Agency or DPAA.

In Wisconsin, we are fortunate to have the University of Wisconsin Missing in Action Recovery and Identification Project. The Project works to recover, identify, and repatriate United States MIA service members. They were the first academic institution to partner with DPAA.

Since 2014, the UW MIA Recovery and Identification Project has repatriated the remains of three (3) World War II veterans – none from Wisconsin.

Currently, there are over 1,500 Wisconsin MIAs. In the future, the Project's goal is to solely focus on the recovery and identification of MIA service members from Wisconsin. We are grateful for the admirable work being done by them.

DAV, Department of Wisconsin considers the MIA issue a high priority. The brave families of the missing continue to live in uncertainty and anguish, many for years, some for decades. Finding and repatriating the remains of the missing is essential to finally give them a sense of closure.

Under SB 8, the UW MIA Recovery Project may request the Joint Committee on Finance to provide \$180,000 in each fiscal year of the 2023-2025 fiscal biennium for missions to recover and identify Wisconsin veterans who are missing in action.

The request must include a research prospectus and spending plan for the requested MIA mission. Upon completion, the UW MIA Recovery Project must submit a Report. DAV finds the bill reasonable and well crafted. Its intent is certainly humane.

Thank you, Chairman Testin, for holding this important hearing. Thank you also go to Rep. Tony Kurtz and Sen. Rob Cowles for introducing this important bill. Finally, thank you to Committee members Carpenter, Wangaard and Wirch for being sponsors.

Pursuant to DAV National Resolution 003<sup>1</sup>, DAV strongly supports SB 8 and urges this Committee and the legislature to pass the bill unanimously, in an expeditious manner.

This concludes my testimony, Mr. Chairman. I would be pleased to respond to any questions you or other Committee Members may have.

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<sup>1</sup> Resolution 003, *Seek the immediate release of any Americans who may still be held captive following any war and the return of the remains of any Americans who died during these wars* passed at DAV National Convention held in Orlando, Florida on August 6-9, 2022.