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**Military Records Issues**  
**Input for Chapter 4**  
**DRAFT**  
**June 30, 1998**

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**POW Issues**

*Guidelines:* The Review Board was eventually confronted with the challenge of deciding whether, and how, privacy postponements requested under Section 6 (3) of the JFK Act would be applied to Korean War POW records in general, and specifically, to POW debriefing records, in cases where the individual at issue was deemed relevant to the assassination. Initially the position of the Army and the Defense Prisoner of War/Missing Personnel Management Office (DPMO) was that *all* prisoner of war debriefing records be withheld *in their entirety*, on privacy grounds. The Review Board staff negotiated a proposed compromise--that dates and basic facts of imprisonment be released, but that *no debriefing statements whatsoever be released*--and presented this compromise to the Review Board members as a staff recommendation. Ultimately, the Review Board decided the following: that for Korean War POW records,

*The following will be released:* dates and basic facts of who was imprisoned, and where, and when; any documents describing or quoting written or oral statements made by the POW subject of interest for the imprisoning authority during his confinement; as well as any debriefing statements the POW subject of interest made about himself, or any statements others made about him;

*The following will be withheld until the year 2008:* personal identifiers of both the subject of interest, and all others mentioned the subject's debriefing file (namely, DOB, POB, and Service Number); the names of those who made statements about the subject of interest during debriefings; and all statements made during debriefings about POWs other than the subject of interest.

*Commentary:* The Army and DPMO position was made clear in

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an April 21, 1998 DCSINT letter to the FBI, since the Army POW records were maintained in an FBI file held on the subject of interest. The Review Board staff recommendation was recorded in a staff NBR memo dated June 16, 1998. The Review Board members made their Board Determination on this issue on June 17, 1998.<sup>1</sup>

### **Operational Details**

*Guidelines:* In many military records, particularly JCS records ("202" series) and Army (Califano Collection) records ("198" series), the substitute language "operational details" frequently appears where the Review Board has upheld postponements under Section 6 (1) (C) of the JFK Act. This phraseology refers to the details of proposed force deployments (*i.e.*, numbers of ships, aircraft, troops, warheads, etc.), or precise targeting information, in support of proposed operational activities or OPLANs, in cases where revealing such information today, because the similarity of some currently proposed combat operations or OPLANs is so similar to those used in the documents in question, that revealing this information would demonstrably impair the national security of the United States.

*Commentary:* Use of this substitute language for military records was approved by the Review Board members during the autumn of 1997, as they reviewed the first large groups of military records on Cuba and Vietnam policy.

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<sup>1</sup>It should be noted that the Army only asked that the postponed information be withheld for 10 more years, until 2008, believing that by then there was a very high likelihood that any surviving POWs from the Korean conflict would be deceased. The subject of POW records from the Vietnam or other conflicts did come before the Review Board, but the Army informally informed the staff that they were extremely hesitant to apply any acceptable release date to Vietnam era records. If any Vietnam-era POW records had been declared assassination records, presumably the year 2017 would have been applied as the release date.

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