

Proposed Letter From Bert K. Haggett (Counterintelligence and Human Intelligence Directorate, DCSINT) to Douglas P. Horne (Chief Analyst for Military Records, ARRB)

On April 21, 1998, DCSINT's Counterintelligence and Human Intelligence Directorate sent a letter to Ms. Carol L. Keeley, Acting Unit Chief of the FBI's Historical and Executive Review Unit, regarding the FBI's file on Thomas R. Peasner, Jr., an Army enlisted man who had been a Prisoner of War in North Korea during the Korean conflict. [This file had been declared an assassination record by the staff of the ARRB, and inasmuch as most of the documents in the file were Army-originated, the FBI had referred the entire file to my office for declassification review, after declaring all of its equities open.] In this letter, my office favorably endorsed the recommendation of the Defense Prisoner of War/Missing Personnel Management Office (DPMO) that the document be postponed in its entirety on the grounds of privacy (Section 6(3) of the JFK Act). As stated in that letter, release of documents containing statements made by Mr. Peasner and others during debriefing, following release from imprisonment by the enemy under extremely adverse wartime conditions, would constitute an invasion of privacy not only to Mr. Peasner but to all of those who made statements during classified military debriefing.

After the FBI forwarded the Peasner file to the ARRB, you visited me on May 20, 1998, and together we discussed Section 6(3) of the JFK Act, the specifics of Mr. Peasner's file, and the special sensitivity of the privacy of POW records, particularly of debriefing statements--raw hearsay, often contradictory--most likely made under the assumption that they would forever remain classified. I agreed with your proposal to reconsider the Army's position, and consent to release of the fact that Mr. Peasner was a POW, the circumstances under which he was captured and confined, and the dates of his captivity, but insisted that the substance of all statements made by Mr. Peasner during his own debriefing, and the names of others who were questioned about him, and the statements they made about him during their own debriefings, should be postponed for ten years for privacy reasons under Section 6(3) of the JFK Act.

Accordingly, I have re-reviewed the Peasner file and have consented to the release of all portions not highlighted in yellow. It is my position that unwarranted invasion of personal privacy to members of the POW community would result from release of the portions of this file pertaining to debriefing information, and that this harm to private individuals would outweigh the public interest in its release, particularly in light of the apparently peripheral importance of Mr. Peasner to the story of the assassination. Please present this revised Army position to the Review Board at the June 17, 1998 meeting for its consideration, and for a Board Determination.

In general, I would ask that all similar debriefing statements from Korean War POWs be postponed for ten years, until 2008. If any early-Vietnam era POW records were to be declared assassination records, I would ask that debriefing information be withheld until the year 2017. Exceptions to these rules would be considered on a case-by-case basis, based on the relative importance of the evidence in each record. END