
Military Records Issues
Input for Chapter 4
DRAFT
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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 with the Army--namely, that the name of the individual of interest, and the dates and basic facts of his imprisonment be opened, 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: the name of the POW subject of interest, and dates and basic facts of his imprisonment; 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 in 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 an April 21, 1998 U. S. Army (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, 1998.¹

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 force deployments (*i.e.*, numbers of ships, aircraft, troops, warheads, etc.), or precise targeting information, in support of proposed operational activities or OPLANs, or in support of real-world exercise situations or real-world threat environments, in cases where revealing such information today, because the similarity of some currently proposed combat operations or OPLANs is so close 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.

¹It 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 war or other conflicts did not 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 by the Board Members to the postponed portions of each record.
