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US ARMY PRISONER OF WAR DOCTRINE REPORT

Doctrine For Captured/Detained United States Military Personnel, Short Title: USPOW
ACN 15596, March 1972

United States Army Combat Developments Command, Special Operations Agency

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MARCH 1972

AD

ACN 15596

**DOCTRINE FOR CAPTURED/DETAINED UNITED STATES
MILITARY PERSONNEL (U)**

**(Short Title : USPOW (U))
FINAL STUDY .**

VOLUME II

MAIN REPORT

PART II

**CHAPTER 4, PRE-INTERMENT
CHAPTER 5, INTERMENT
CHAPTER 6, POST INTERMENT
CHAPTER 7, RECOMMENDATIONS**

**UNITED STATES ARMY
COMBAT DEVELOPMENTS COMMAND
SPECIAL OPERATIONS AGENCY**



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**DOCTRINE FOR CAPTURED/DETAINED UNITED STATES
MILITARY PERSONNEL (U)**

(Short Title : USPOW (U))

FINAL STUDY

VOLUME II

MAIN REPORT

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CHAPTER 4

~~(CONF)~~ PRE-INTERMENT (U)

SECTION I - (U) THE ROLE OF THE CODE OF CONDUCT

1. INTRODUCTION:

a. Purpose. The purpose of this section is to examine the "Code of Conduct for Members of the Armed Forces of the United States" and to analyze US Army training in support of the Code. The historical development of the Code, as well as the original design and intended interpretation of it, are crucial to an understanding of the application of current doctrine.

b. General:

(1) The directions of the previous chapter clearly demonstrate the need for an analysis of current Army doctrine concerning the "Code of Conduct for the Members of the Armed Forces of the United States." The Code of Conduct was intended to be a U.S. national policy, yet one which was to be implemented by the individual serviceman. Since the individual is integral to the policy, it is the responsibility of the Army training to insure the policy is understood at all levels. In its dependence upon training, the Code of Conduct serves to introduce the whole of the pre-interment portion of the study.

(2) A review of the Code itself, its conception, construction, and promulgation is requisite prior to a review of US Army training in regard to PW's. As a national policy, the Code's implementation is the responsibility of the armed services, both independently and jointly. In this respect, a review of Army doctrine pertaining to the expression of the tenets of the Code in Army regulations, field manuals, and Army subject schedules was conducted.

(3) The real value of the Code of Conduct lies in its nature. On the one hand, the Code is an expression of U.S. national policy, formulated within the Department of Defense and promulgated by Executive Order. Yet, as an expression of national policy, it is set forth in simple and direct language in order to be easily understood by all men in uniform.¹ Representation of the Code as an instrument of national policy to be implemented by the serviceman presents an unusual phenomenon. A prisoner of war is isolated from national control, thus creating an inconsistency with the common notion that national policies are formulated, implemented, and controlled at the highest levels of government.

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(4) Even more basic than the role of the Code of Conduct as an instrument of national policy is the role of the Code as the guide for resistance. Reactions to the charges of "brainwashing" and collaboration of USPW's popularized after the Korean War were instrumental in demonstrating a need for the delineation of the principles for resistance to enemy PW management.² The phrases of the Code of Conduct verbalize traditional and transcendent ideals in an effort to emphasize the reasons for resistance. Code of Conduct phraseology includes allusions to defense of country and "our way of life" to the death, if necessary.³ Never surrendering one's own free will,⁴ making every effort to escape,⁵ keeping faith with fellow prisoners, avoiding disloyalty to the United States and its allies,⁷ and professing dedication to "the principles which made my country free" are among the tenets of the Code of Conduct.⁸

(5) The verbalization of such patriotic intangibles of dedication to duty is intended to promote a "reaffirmation" to these principles, to the effect that the individual serviceman is enabled to rationalize the necessity for correct behavior during internment in terms of traditional American virtues.⁹

(6) Thus, the phenomenon of the Code of Conduct: a recognized national policy combining patriotic rhetoric with American ideals, designed to be implemented by an isolated instrument, the prisoner of war, and intended to offer that instrument of policy, a highly abstract rationale with which to guide his conduct.

(7) Any definitive analysis of the US Army doctrine concerning USPW's must examine the Code of Conduct, which presents so pervasive an impact upon the military--from the Commander-in-Chief to the individual serviceman. Briefly, the purpose for reviewing the Code of Conduct is to trace the relationship among the promulgated Code, its interpretations, and its application. The inclusion of the analysis of the Code of Conduct at this point of the study is of some consequence. Clearly, the Code is a national policy, related to the previous chapter; and the Code expresses the rationale for countering the threat to USPW's which the Communist principles of PW management pose. Further, a thorough examination of the Code is required to properly and accurately assess current Army training in regard to the Code. According to regulation, the individual soldier's training is designed to emphasize that "full and loyal observance of the spirit and letter of the Code is in the best interest of his Nation, Army, unit, and himself."¹⁰ For this reason, the review of the Code is found in the "Pre-Internment" chapter.

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c. Methodology:

(1) The most practical approach for this analysis of the Code of Conduct and Code training proved to be primarily one of description. The structured format of the section on the Code of Conduct requires this historical-descriptive direction. The historical survey of the Code from its promulgation in 1955 to the present is warranted because the Code of Conduct is a product of history.

(2) The source materials for the analysis of the Code were drawn from a variety of documents. Primary sources included official debriefing reports of repatriated USPW's from the Vietnam conflict. In a few cases these were supplemented with personal interviews of repatriates. An additional source of information on the effectiveness of the Code of Conduct and related training was the result of a questionnaire prepared exclusively for this study and submitted to a number of US Army repatriates of the Vietnam experience. This last source provided valuable insight into the applicability and effectiveness of the Code under actual prisoner of war conditions. Of greater import for this study was the response to the questionnaire in regard to Code training. A series of personal interviews with basic trainees at Fort Jackson, South Carolina, provided an opportunity to measure the effectiveness of Code training. Similar interviews were conducted among personnel of the 82d Airborne Division and the 5th Special Forces Group, stationed at Fort Bragg, North Carolina.

(3) Research for the Code of Conduct analysis also included investigation of pertinent secondary source material. Information on the Code of Conduct was based upon such published sources as periodicals and newspaper accounts (civilian and military), professional journals, reports of Congressional hearings, and related studies. Official documents included Department of Defense Directives, Army Regulations, and directives from the Joint Chiefs of Staff.

(4) Information from this variety of source materials was synthesized to provide the exposition of the Code of Conduct, its interpretations, and its effectiveness. With general facility, the bulk of the researched material lent itself to organization according to the divisions of Code, interpretations, and effectiveness as prescribed within the general historical-descriptive context.

d. Limitations:

(1) The conduct of the analysis of the Code of Conduct itself had several limiting considerations, both inherent and imposed. Generally, these strictures evolved from the nature of the Code.

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(2) A limitation indirectly imposed by the Department of Defense had significant effect upon the ultimate product of the review of the Code of Conduct. The Department of Defense could provide little assistance to this review under the influence of a Departmentally-imposed sanction on information concerning the Code. The reason for this sanction lies in a reluctance to allow a concerted review of the Code until after the cessation of hostilities in Vietnam. The rationale involves the notion that since USPW's currently imprisoned by the enemy are "living by the Code," a study designed to encourage the adoption of changes in the Code of Conduct would subvert the reasons for the USPW's resistance, implying a disservice to those prisoners.¹¹

(3) Although the office of the Assistant Secretary of Defense for Manpower and Reserve Affairs apparently conducts "a systematic, formal review" of the Code of Conduct on a regular basis, data from such a program was unavailable in view of the Departmental restriction.¹² The absence of current Department of Defense information on the Code of Conduct proved to be somewhat inhibiting.

(4) Emphasis upon the Code of Conduct itself may not appear particularly pertinent to a study which is intended to address Army doctrine and training concerning the Code. This, however, is not the case. Army doctrine and training are contingent upon the viability and efficacy of the existent Code. Inherent inconsistencies with the language or intentions of the Code, the relationship of the Code with the 1949 Geneva Convention Relative to Prisoners of War, and other services' interpretations of the Code all reflect upon Army doctrine and training. Since Army training presents the individual soldier with his sole exposure to the Code, it is imperative that the Army training recognize and reconcile facets of the Code which may appear problematical. Therefore, while this study underscores the Army doctrine and training in regard to the Code of Conduct, it includes additional material on the Code itself.

(5) Despite the obvious import of the Code of Conduct, there is a surprisingly narrow variety of source material concerned with the subject. The Code of Conduct has not proved to be a topic of constant interest. As might be expected, there was a fair amount of published material concerning the Code at the time of its promulgation in 1955. The Pueblo incident sponsored some speculation on the Code in 1968-1969. The USPW issue in Vietnam has focused some intermittent attention on the Code. Yet, concern with the Code has generally remained irregular and sporadic.

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(6) In addition to this temporal irregularity of attention to the Code, research of Code of Conduct-related materials tends to indicate a lack of variety in source documents. Beyond the minimum Department of Defense pronouncements and Implementing Instructions for the Code, popular interest in the Code is generally limited to service-related publications, a few articles in legal journals (invariably contributed by JAG or ex-JAG personnel), and a handful of superficial accounts in periodicals in which the same figures are inevitably quoted. This apparent lack of variety in source materials clearly constrains the survey approach to the Code of Conduct.

(7) There are two accidental limitations upon an analysis of the Code of Conduct and associated Army training, both of which are contingent upon history. The first is the demonstrable fact that the promulgated Code has been a vehicle of policy for less than 16 years. In view of this relatively short time span, it becomes difficult to perceive a place for the Code of Conduct in a clearly defined historical context. Consequently, the role of the Code has yet to be tested or observed under extensive, actual prisoner of war circumstances.

(8) In conjunction with this absence of historical context, there lies a second accidental limitation. The Code of Conduct has been applied only in a very constricted situational context. Since its publication in 1955, the Code has been tested in only two documentable instances, the Pueblo affair and the Vietnam conflict. Both of these occasions present inherent difficulties which limit the depth of a competent review of the role of the Code of Conduct and the effectiveness of Code training. In the first instance, the Pueblo affair, there were serious doubts concerning the applicability of the Code to a situation in which U.S. military personnel were not "prisoners of war."¹³ This incident, too, had little pertinency for US Army doctrine and training. In the case of the Vietnam conflict, documentation of the effectiveness of the Code, and ultimately Code training is of dubious validity, except on a partial scale. The existence of so limited a sample of U.S. repatriates makes competent generalizations impossible.

(9) There is a final, elusive limitation on a Code of Conduct analysis. Although the Code itself is a recent phenomenon, the philosophy which it embodies is not. There is a natural reservation about proposing changes in, or even subjecting to scrutiny, a statement of principles so traditional. Despite the intangible nature of this hesitancy to fully dissect the Code of Conduct and Code training, it is fully conceivable that such an attitude has had some pertinent.

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effect upon the admonitions to refrain from reviewing the Code in depth. This psychological inertia in regard to the Code of Conduct is magnified in view of the fact that there has been no extensive and documentable test of the Code under actual prisoner of war conditions. It can be contended that without an opportunity to examine the Code in light of an empirical situation there is no validity to an effort of modifying the Code or even for an incisive analysis of it.

2. GENERAL TREATMENT:

a. The Development of the Code of Conduct:

(1) The prisoner of war phenomenon has characterized organized warfare since the beginnings of documented history. Primitive man generally conceived the solution to the prisoner of war problem as simple annihilation or enslavement of captured foes. There was no apparent pretense or acknowledgement of any special rights or privileges for captives. Nor were there any behavioral standards for these unfortunate prisoners.

(2) Attempts to formally and legally address the prisoner of war issue have been relatively recent. The rigid military code of the ancient Greeks of Sparta made no provision for the prisoner of war. Although there were numerous references to prisoners of war in contemporary writings of ancient Roman military campaigns, the Roman military codes effectively ignored any consistent formalization of prisoner of war policy. It was generally recognized that prisoners of war were to be treated as slaves.

(3) The spread and influence of Christianity in the Middle Ages apparently had no little effect upon the development of a sense of chivalry. As the chivalric code evolved, warriors and knights were enjoined to refrain from brutal slaughter or degrading enslavement of captives. Rather, captured opponents were to be considered as "honorable foes" and accorded treatment reflecting this status.¹⁴

(4) The humane theory of the code of chivalry presented at times an ideal which was not universally honored. The tenets of the chivalric code were threatened by less tolerant ideologies as well as the fanaticism of those who encouraged atrocities. In addition, the code of chivalry as recognized in the development of Western civilization was a relatively isolated phenomenon. The ecclesiastical wars which periodically swept through medieval Europe and the savagery of the Islamic conquests demonstrated the fact that the chivalric code

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was frequently ignored or at best paid mere lip service. Although the practice of chivalry was irregular, the concepts of knighthood and chivalry nonetheless continued to flourish.

(5) According to the code, a knight was called upon to assume obligations of noblesse oblige. He professed an oath of loyalty to his lord or cause even if captured. Under any circumstances, treason was unsanctioned and would warrant retributive punishment. Treachery, the disclosure of a trust, or the deliverance of a friend to the enemy were marks of perfidy, alien to the concepts of chivalry.

(6) Thus, in the Western experience, precepts for the fighting man in combat or in captivity were linked to knightly concepts of duty and honor, loyalty to friend and gallantry to foe.

(7) At some point during the era of the Crusades there evolved a standard in regard to prisoner interrogation. The captive was permitted to divulge to his captors his name and rank. The system established for ransom of prisoners of war demanded these admissions. A necessity for prisoner identification, this rule is honored today, as delineated by the modern Geneva Convention Relative to Prisoners of War.

(8) For some time after the era of the Crusades there was little ostensible change in status or expected behavior of prisoners of war. By the middle of the 17th century it was evident that there had developed a new concept concerning prisoners of war. No longer the responsibility of the capturing individual, prisoners were now considered to be in the custody of the capturing sovereign or state. Although no formal rules for management of prisoners had been formulated, the power of the state generally offered protection from servitude and personal recrimination. Later, during the 18th century, captivity began to be considered a means of preventing the prisoners' return to friendly forces. This notion was apparently regarded as one of critical importance. Military prisoners were no longer to be considered as guilty of crimes against the detaining power.

(9) The New World experience with warfare long antedated the American Revolution, but the concepts of treatment and behavior of prisoners of war had little relevance before the War for American Independence. The vagaries of war demanded that standards of prisoner behavior be evaluated and established. To discourage desertions during the War for American Independence, the Continental Congress established the death penalty for those prisoners who, subsequent to

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capture, took up arms in the service of the enemy. Deserters were granted amnesty, but not those who deserted to the enemy. Duress and coercion were legally recognized as mitigating only in the event of threatened immediate death. It was expected that a prisoner would refrain from revealing information of military value to the enemy. Such superficial standards constituted the initial American description of acceptable prisoner conduct. The Treaty of Paris of 1785 prescribed no standard of prisoner behavior, although several articles addressed such related concepts as conditions of confinement, care, and parole.

(10) The period between 1785 and 1861 afforded little additional experience in the management and behavior of prisoners of war for the United States. Experiences in major conflicts, the War of 1812 and the Mexican War, were insufficient to warrant a reevaluation of the previous concepts. The European experiences, the Napoleonic wars and the Crimean War, generally went unappreciated by a more domestic-conscious America.

(11) The American Civil War demonstrated the superficiality of the prior concerns with behavior of prisoners of war. The war, too, pointed out a lack of ability to insure proper treatment of prisoners on both sides.

(12) Civil War statistics reveal that 3,170 Federal prisoners joined the Confederate military forces and 5,452 prisoners of the Confederate Army joined the ranks of their Federal opponents.¹⁵ Prisoner conduct after capture was mentioned in US War Department General Order No. 207, July 3, 1863. Among other things, the order maintained that it was the duty of a prisoner of war to escape. Apparently, the publication of this order was intended to curb popular practices of surrender and subsequent parole to avoid further combatant service. The order stipulated that prosecution for misconduct while a prisoner of war was to be predicated upon three criteria:

- (a) Misconduct in situations where there was no duress or coercion.
- (b) Active participation in combat against Federal forces.
- (c) Failure to return voluntarily.

(13) In the post-Civil War era, concern for prisoners of war was directed toward treatment rather than behavior. Efforts to

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standardize prisoner of war treatment were international in nature. Nine years after the Civil War, a declaration establishing the rights to be accorded prisoners was drafted by the Congress of Brussels (1874). While delineating the responsibilities of the detaining power, this document ignored the notion of the conduct of a prisoner during internment. Representatives of 15 nations signed this declaration, but none of the participating governments ratified the agreement.

(14) The nearly rampant militarism of the immediate pre-World War I era prompted an international reaction which was partially expressed in the Hague Regulations of 1907. These agreements had some pertinency for the prisoner of war issue since they represented an effort to consolidate the rules in regard to captivity in war. The resultant cursory nature of the Hague Regulations and their apparent inability to address the massive prisoner of war demands of World War I demonstrated the necessity for review of the prisoner of war problem. This demand fostered the Geneva Conventions of 1929. Similarly, the prisoner of war experiences of World War II prompted the 1949 Conventions. The Conventions described in detail the rights and protections which prisoners should be afforded by the detaining power. However, the agreements reached at Geneva did not specifically prescribe the conduct which a nation may require of its personnel who may become prisoners. This prescription of behavior is left to the individual sovereign powers. On the other hand, there are several provisions of the Conventions which do require specific conduct. Prisoners are deemed subject to the statutes, regulations, and orders in force within the armed forces of the detaining power.¹⁵ Prisoners may be punished for infractions of rules.¹⁷ They must divulge name, rank, service number, and date of birth.¹⁸

(15) Although the various international agreements have recognized the authority of each sovereign nation to determine individual standards for prisoner of war behavior, the U.S. initiative in determining and publishing behavior standards for its prisoners of war prior to the Korean War was basically nonexistent. American military law failed to provide the initial institutionalized response to the need for guidelines for prisoner of war conduct.

(16) The precepts of American military law, naturally enough, were derived almost entirely from British concepts, which in turn were based upon a code devised in 1621 by King Gustavus Adolphus of Sweden. In 1775, shortly after he was designated Commander-in-Chief of the Continental Army, George Washington set up a committee under

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his own chairmanship to consider regulations for the government of the new military establishment. The Continental Congress subsequently adopted the British Articles of War.

(17) With occasional revision and reform, the 1776 Articles of War have remained in effect since their adoption. After the unification of the armed forces in 1948, separate Army and Navy military codes were merged into the Uniform Code of Military Justice that comprises the contemporary basic body of law for all of the armed services.¹⁹

(18) A review of the old Articles of War and the original Uniform Codes will reveal no specific mention or suggestion of the manner in which a prisoner must behave during captivity. The only intimation of concern for prisoner conduct is contained in those sections of the Uniform Code of Military Justice which pertain to "aiding the enemy," a generally vague description of "misconduct" as a prisoner,²⁰ or the pervasive and enigmatic general article.²²

(19) Concern for detailed behavioral guidance for the individual serviceman during captivity was a legacy of World War II. In 1949 the Joint Chiefs of Staff focused attention on the problem of determining an official statement of policy for prisoner of war conduct. After study and deliberation the Joint Chiefs produced a memorandum which stated essentially that in the event of capture, the prisoner could tell the captor anything that was public knowledge, anything that the captive knew the enemy already knew, and anything which was not classified military information. Apparently, the principal concern was in thwarting interrogation practices of potential enemies, since little additional guidance was publicized. While the Air Force training reflected a more liberal attitude toward what a prisoner could reveal to his captors, the Army, Navy, and Marines boasted regulations requiring strict adherence to name, rank, and serial number.²¹

(20) The United States prisoner of war experiences during the Korean War demonstrated the absence of positive direction of previous efforts to provide a meaningful standard for prisoner of war conduct. Upon the repatriation of prisoners after the armistice, the American public was provided statistics of Communist atrocities and prisoner of war misconduct, more popularly known as "collaboration." Official reports decried the facts that 38 percent of United States prisoners of war captured by the Communists died in captivity and that there were no successful escape attempts from permanent enemy prison camps.

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The most alarming statements concerned the "shocking statistic...that almost one out of three prisoners in Korea was guilty of some sort of collaboration with the enemy." The degrees of the reputed collaboration ranged from such relatively grave offenses as composing anti-American propaganda statements and informing on comrades to the generally innocuous actions of broadcasting Christmas greetings to families in America and thereby allegedly placing the Communists in a favorable light.²⁴

(21) Concerned by the charges of collaboration, the Defense Department initiated an examination of the cases of 3,300 returned American prisoners to determine the circumstances and reasons for collaboration. Of the 565 repatriates whose conduct was questioned after a preliminary investigation, 373 were summarily cleared after subsequent scrutiny. Of the remaining 192 suspects, 68 were separated from the services, three resigned, one received a reprimand, two were given restricted assignments, and only 11 were convicted by court martial.

(22) In every war in which the United States had previously participated, the conduct and personal behavior of its servicemen who had become prisoners of war presented relatively few complex problems and offered no particular ones to the nation as a whole. The U.S. experiences during the Korean War, however, made manifest the necessity for a reevaluation of the question of prisoners of war. The principal legacy of the prisoner of war experiences of the Korean War was the notion that the United States had encountered an enemy who had fought not only upon the battlefield, but in the prison camps as well. An enemy who perceived the prisoner of war as a lucrative source of intelligence and potential propaganda material represented a tangible threat for future conflicts. An enemy who perceived the prisoner of war as a simple asset, and not as a human being, demanded new considerations of policy and preparation. It was strikingly evident that the concept of chivalry which had developed and flourished during the ascendancy of Western civilization and was preserved in formal international agreements was no longer applicable. A new type of foe presented a new requirement that the United States Government and its military services prepare its fighting men not merely to fight physically but also to combat the enemy mentally and morally as well.

(23) Popular response to the prisoner of war experiences during the Korean War focused on the apparent atrocities and resultant "brainwashing." Analysts directed diatribes at both the Communist techniques and the prisoners' inadequacy of response. The most

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viable recommendations called for a reassessment of expectations of the conduct of a prisoner of war. "Our past apathetic acceptance of the blessings of freedom and the old military routine of giving the enemy when captured only name, rank, serial number obviously are not a sufficient answer to murderers, torturers, and immoralists who believe the ends justify the means."²⁵ The orientation of armed forces training programs was criticized and described as "inadequate to help resist Communist indoctrination. . . ." ²⁶ Differences of opinion in regard to prisoner behavior, particularly how the prisoner was to respond to interrogation, were not reserved for the public forum. Military spokesmen expressed a variety of preferences from the rigid name-rank-serial number-only formula to the infinitely permissive "tell all you know" admonition.²⁷

(24) Problems in reevaluating standards for prisoner of war behavior were intensified by the historical environment of the early 1950's. World War II had thrust upon the United States an uncomfortable international stance. While the inclination to return to the traditional isolationism was popular, exigencies of the fledgling Cold War and international situations made this impossible. A national concern about Communism fostered widespread suspicion and anxiety within American society. The unsettling legacies of the Korean War promoted a tendency to rely upon verbal "brinkmanship" rather than participation in the international arena.

(25) Yet, it was not possible for the American military community to ignore the charges and recriminations evolving from the prisoner of war experiences of the Korean War. As an official reaction to the complex problems of prisoner of war behavior, the Secretary of Defense, Charles E. Wilson, on August 7, 1954, named an ad hoc committee under the chairmanship of Mr. Carter L. Burgess, the Assistant Secretary of Defense (Manpower, Personnel, and Reserve). This committee, most of the members of which were retired military personnel, developed the principal issues involved in the prisoner of war problem and proposed a fundamental plan of study which was submitted to Secretary Wilson for his approval.²⁸ It was reported that the dissolution of this committee was less a matter of completion of assignment than of disagreement concerning the resolution of the "Big Four" (name, rank, service number and date of birth) or "something less rigid" quandry.²⁹

(26) Nonetheless the work of this preliminary study did lead to further scrutiny of the issue of prisoner of war conduct. The original committee had published an 82-page report documenting its

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findings and proposing several recommendations. On the merits of this report, Secretary of Defense Wilson appointed the Defense Advisory Committee on Prisoners of War on May 17, 1955. This ten-member committee was chaired by Assistant Secretary Burgess.³⁰ Its ostensible purpose was to provide members of the armed forces with a simple, easily comprehensible code to govern their conduct as American fighting men. Secretary of Defense Wilson's intentions were delineated in a memorandum to Burgess:³¹

I am deeply concerned with the importance to our national security of providing Americans who serve their country in battle with every means we can devise to defeat the enemy's techniques. To assure the success of our Armed Forces, it is equally essential to arm them with the best weapons of the mind and body as it is to provide them with the machines of war.

Our national military needs must be met. This requires that each member of the Armed Forces be thoroughly indoctrinated with a simple easily understood code to govern his conduct while a prisoner. However, this military need must be met in a manner compatible with the principles and precepts basic to our form of government....

...I request that you consider the methods we may expect our potential enemy to employ, the obligation which national military needs impose on members of the Armed Forces and the obligation of the US to afford protection of its citizens in the custody of a foreign power. I direct your deliberation toward the development of suitable recommendations for a Code of Conduct and indoctrination and training on preparation for future conflict.

(27) The "Burgess Committee," as the Defense Advisory Committee came to be known, investigated the prisoner of war circumstances for a period of 2 months. The list of witnesses interviewed by the Committee included a number of repatriated prisoners from the World War II and Korean War experiences. In addition, the Committee conducted discussions of sociological and educational problems with:

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leading educators. It consulted with labor leaders. Spokesmen of principal faiths addressed the religious aspects. The Committee likewise "sought and received the invaluable views of the leaders of the nation's veterans' organizations."³²

(28) On 29 July 1955, the Defense Advisory Committee presented to Secretary Wilson the tangible product of its investigation, a document titled POW--The Fight Continues After the Battle. In addition to a historical review of the phenomenon of prisoners of war with particular emphasis upon the U.S. experiences in the Korean War, the report included a proposed code of conduct. On 17 August 1955, President Dwight D. Eisenhower promulgated Executive Order No. 10631 wherein he prescribed for the Armed Forces of the United States a six-point Code of Conduct (see Figure 17).

(29) The President's preamble to the Code of Conduct in the Executive Order delineated the mutual responsibilities of the armed forces and the individual serviceman:

Every member of the Armed Forces of the United States is expected to measure up to the standards embodied in this Code of Conduct while he is in combat or in captivity. To ensure achievement of these standards, each member of the Armed Forces liable to capture shall be provided with specific training and instructions designed to better equip him to counter and withstand all enemy efforts against him, and shall be fully instructed as to the behavior and obligations expected of him during combat or captivity.³³

b. Perceptions of the Code:

(1) Although the promulgation of the Code of Conduct was without American precedent, the principles in the document were neither original nor particularly controversial. The Code of Conduct was a non-punitive standard for the behavior of prisoners of war and "an explicit reaffirmation of previously existing policy."³⁴ Occasional references were made to the effect that the Code was an overt attempt "to try to mold a new set of fundamental attitudes in (U.S.) citizens in the armed forces. . . ." ³⁵ The Defense Advisory Committee's report dispelled any notions of novelty in the diction or connotation of the Code: "We can find no basis for making

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CODE OF CONDUCT

I

I AM AN AMERICAN FIGHTING MAN, I SERVE IN THE FORCES WHICH GUARD MY COUNTRY AND OUR WAY OF LIFE. I AM PREPARED TO GIVE MY LIFE IN THEIR DEFENSE.

II

I WILL NEVER SURRENDER OF MY OWN FREE WILL. IF IN COMMAND I WILL NEVER SURRENDER MY MEN WHILE THEY STILL HAVE THE MEANS TO RESIST.

III

IF I AM CAPTURED I WILL CONTINUE TO RESIST BY ALL MEANS AVAILABLE. I WILL MAKE EVERY EFFORT TO ESCAPE AND AID OTHERS TO ESCAPE. I WILL ACCEPT NEITHER PAROLE NOR SPECIAL FAVORS FROM THE ENEMY.

IV

IF I BECOME A PRISONER OF WAR, I WILL KEEP FAITH WITH MY FELLOW PRISONERS. I WILL GIVE NO INFORMATION OR TAKE PART IN ANY ACTION WHICH MIGHT BE HARMFUL TO MY COMRADES. IF I AM SENIOR, I WILL TAKE COMMAND. IF NOT, I WILL OBEY THE LAWFUL ORDERS OF THOSE APPOINTED OVER ME AND WILL BACK THEM UP IN EVERY WAY.

V

WHEN QUESTIONED, SHOULD I BECOME A PRISONER OF WAR, I AM BOUND TO GIVE ONLY NAME, RANK, SERVICE NUMBER, AND DATE OF BIRTH. I WILL EVADE ANSWERING FURTHER QUESTIONS TO THE UTMOST OF MY ABILITY. I WILL MAKE NO ORAL OR WRITTEN STATEMENTS DISLOYAL TO MY COUNTRY AND ITS ALLIES OR HARMFUL TO THEIR CAUSE.

VI

I WILL NEVER FORGET THAT I AM AN AMERICAN FIGHTING MAN, RESPONSIBLE FOR MY ACTIONS, AND DEDICATED TO THE PRINCIPLES WHICH MADE MY COUNTRY FREE. I WILL TRUST IN MY GOD AND IN THE UNITED STATES OF AMERICA.

FIGURE 17 - CODE OF CONDUCT

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recommendations other than on the principles and foundations which have made America free and strong and on the qualities which we associate with men of integrity and character."³⁶ The chairman of the Defense Advisory Committee was explicit in describing the purpose and nature of the new Code of Conduct:

The purpose of the Code of Conduct is to provide our fighting forces with a standard of conduct direct from the Commander-in-Chief, who is also one of the great military leaders in American history. It is designed to aid the fighting men of the future, if ever they fall into...an enemy's hands, in the fight for their minds, their loyalty, and their allegiance to their country..."³⁷

(2) It was apparent that the publication and propagation of the Code of Conduct was intrinsically related to the prisoner of war experience of the Korean War. There was, however, some disagreement in regard to whether the necessity for a code was the result of USPW misconduct or of the prisoner of war management techniques utilized by the North Koreans and Chinese Communists. The publication of the Code was frequently interpreted "as indicating a recognition of grievous failings, despite the efforts of the committee to avoid this interpretation."³⁸ The Code was perceived as "an explicit admission" of a "specific deficiency" in training of servicemen and appreciation of traditionally American ideals.³⁹ The prisoner of war behavior "problem" of the Korean War was popularly underscored by numerous sources as the reason for the formulation of the Code of Conduct.⁴⁰

(3) Conversely, the Code has been appraised less as an indictment of American servicemen and more of an accusation directed against the North Korean and Chinese management of prisoners of war. The Code has been described as "a product of the failure of the Chinese Communists to live up to the letter and spirit of the GPW (1949 Geneva Convention Relative to Prisoners of War)."⁴¹ The Defense Advisory Committee's approach to this theory was somewhat ambiguous. While the Committee exonerated the conduct of the Korean War prisoner, who "cannot be found wanting," there was apparently some equivocation, since the Committee's published report was liberally tempered with allusions to the determined declaration that "the Korean story (of prisoners of war) must never be permitted to happen again."⁴²

(4) The Committee's final report included a historical survey of the prisoner of war concept as well as a description of development

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of the notion of a code of conduct. In addition to delineating the separate articles of the Code, the Committee outlined some companion "Instructional Material."⁴³ The purpose of this information was to insure achievement of the "high standards" demanded by the Code. "Each member of the Armed Forces liable to capture must be provided with specific training designed to equip him better to cope with all enemy efforts against him. He will be fully instructed as to his behavior and obligations in combat and in the event of capture."⁴⁴

(5) This "instructional material" assumed the form of explanatory notes pertaining to the six articles of the Code. In effect, these notes provide the rationale for the inclusion of each article in the Code concept; they serve to introduce each article and to refine the ideas expressed in the Code.⁴⁵ The armed forces have incorporated these explanations in their specific and official guidance on the Code of Conduct.⁴⁶ President Eisenhower's Executive Order No. 10631, which promulgated the Code in 1955, restated the explanatory paragraphs, thereby magnifying the pervasive character of the Committee's guidance.

(6) The Defense Advisory Committee provided more guidance for Code of Conduct training than the rationale for each article. The report contained a specific recommendation "that the Department of Defense devise a special training program to teach American servicemen the ways and means of resisting enemy interrogators."⁴⁷ The Committee provided the general description of a recommended two-part program designed to ensure standard and competent training on the new Code of Conduct. Emphasis was placed upon the notion that the training program was to be coordinated among the armed forces.

(7) The initial portion of the proposed training program was referred to as "general training," and encompassed "motivational and informational training to be conducted throughout the career of all servicemen during active and reserve duty."⁴⁸ The Committee described the second part of the Code of Conduct training program "specific training." It was envisioned that such training would be "designed for and applied to combat-ready troops."⁴⁹ The dual nature of this concept of training was intended to provide cumulative exposure to the principles of the Code for all servicemen as well as maximum pertinent guidance for the servicemen particularly in need of the standards expressed, those most susceptible to capture. For this reason, it was deemed apparent that "a code of conduct must apply uniformly to all services, and training must be uniform among the services to the greatest degree practicable."⁵⁰

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(8) The Committee's report contributed additional philosophical insight for Code of Conduct training:

In all services training should be adapted to cover the need of all ranks from the enlisted man to the commander. It must be realistic as well as idealistic. Above all, it must be presented with understanding, skill and devotion sufficient to implant a conviction in the heart, conscience, and mind of the serviceman that the full and loyal support of the Code is to the best interests of his country, his comrades, and himself.⁵¹

(9) It was acknowledged by the Committee that the pre-Service and extra-Service environment of the individual serviceman would be responsible for the conditioning of various values and attitudes. Ideally, the services' training on the Code of Conduct would complement the pre-Service attitudinal orientations. "Pride in a country and respect for its principles--a sense of honor--a sense of responsibility--such basics should be established long before 'basic training,' and further developed after he (the serviceman) enters the Armed Forces.⁵² To promote maximum effectiveness in relating "basic beliefs" to the Code of Conduct through training, the Committee recommended that "the Services find an effective means of coordinating with civilian educational institutions, churches and other patriotic organizations to provide better understanding of American ideals."⁵³

(10) It was evident from the Committee's report on the Code of Conduct and the Korean War prisoner experience that an ambitious training program was requisite for the inter-Service standardization of the Code's precepts. A memorandum from the office of the Secretary of Defense dispatched to the Secretaries of the military departments (dated 18 August 1955) incorporated the general recommendations of the Committee report and purportedly provided guidance for the coordination of Code training among the Services. The practical result of the Defense Department guidance was that the articles of the Code were brought to the attention of every individual entering the Service, as part of the regular training program of each of the separate Armed Forces. Films illustrating the meaning of each article were produced, made available, and occasionally utilized in unit training. Posters were prominently displayed in all military establishments and aboard naval vessels to remind servicemen of the

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Code's existence and the nature of the message it contained. In addition, the Code was read periodically and formally in much the same perfunctory fashion as the Articles of War were read.⁵⁴

(11) It was apparent that no one remained ignorant of the existence of the Code of Conduct. Yet, the coordinated, inter-Service training program sought by the framers of the Code and outlined by the Defense Department never materialized. There were ostensible reasons for the inability to establish the concerted training program. The patent remedies contained in the phrases of the Code were nearly universally acceptable since they involved no commitment to any radically new ideas or programs. Involvement in a precise, organized program of implementation of the Code, however, would demand novel directions of service doctrine, which was certain to entail a great deal of compromise on matters of scope, purpose, and other more tangible factors. In short, the problems of coordination would have proved nearly insurmountable. Then, too, much of the furor of the Korean War experiences which engendered the publication of the Code faded in the latter half of the decade of the 1950's. Presented with no empirical opportunity to test the Code, the Services felt little inclination to mutually pursue an incisive program of training.⁵⁵

(12) The guidance provided by the Defense Advisory Committee served as an inadvertent hindrance to the establishment of a coordinated training program. Although professing to supply coherent recommendation for "specific training," the remarks on training made by the Committee were anything but "specific." The accompanying memorandum from the Secretary of Defense did little more to delineate a structured program of training. As a result each service developed independently-tailored training programs, each of which (with the exception of the Air Force) was considerably less extensive than the Committee had envisioned.

(13) The Army's response to the recommendations of the Committee and the Defense Department memorandum was perceived as directly counter to that which had been suggested. It consisted principally of lectures and graphic reminders of Code tenets, all designed to emphasize the theme of name, rank, service number, and date of birth contained in Article V. The Navy and the Marine Corps likewise ignored most of the admonitions of the Defense Advisory Committee and established cursory training programs, predicated upon the notion of giving to enemy interrogators only name, rank, service number, and date of birth.⁵⁶

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(14) The Air Force, however, inaugurated an effective and highly realistic training program. For its rationale the Air Force used the guidance supplied by the Defense Advisory Committee's report. The Committee members realized a prisoner of war was quite likely to be driven from "his first line of resistance" under intensive interrogation; therefore, they reasoned the servicemen must be trained for "resistance in successive positions."⁵⁷ A letter from the Chief of Staff of the Air Force, General Nathan Twining, reflected the influence which the Committee had upon Air Force Code of Conduct training. Twining wrote, in part:

I have been deeply concerned that we would have imposed upon us the concept of "name, rank, and serial number only" and all of its demoralizing implications of guilt and punishment...The findings of the Advisory Committee have provided us with sufficient flexibility to proceed with our way of thinking.⁵⁸

(15) The Air Force training program was titled "Successive Lines of Resistance" and the principal training center was located at Stead Air Force Base. The program duplicated the various techniques utilized by the North Koreans and Chinese Communists in the Korean War, including isolation, deprivation of food and sleep, interrogation-indoctrination sessions, and varying degrees of torture. One instructor succinctly explained the program's intentions: "First we teach them (the Air Force pilots) not to talk. Then we teach them how to talk in the event they are tortured into it."⁵⁹

(16) Although the Air Force program was apparently competent in the preparation of pilots to resist interrogation, the somewhat brutal methods of instruction prompted a public furor. Popular indignation and adverse publicity forced a moderation in the techniques employed by the instructors at Stead. The training program became less controversial but remained plagued by budgetary problems. In a gesture of governmental economy, the Air Force training program at Stead was dropped in the early 1960's.⁶⁰

(17) In January 1963, the Commander-in-Chief, Pacific Fleet (CINCPACFLT), dispatched a message to the Chief of Naval Operations which challenged the flexible Air Force interpretations of Article V of the Code of Conduct. As a reference, CINCPACFLT used US Navy pilots who had attended the Air Force survival school at Stead Air Force Base and who had received training in "a second posture of

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resistance" to enemy interrogation. The message stated that this training was directly contradictory to the Navy interpretation of Article V, since the Fleet survival schools taught the revelation of name, rank, service number, and date of birth only. CINCPACFLT requested that the differences be resolved and that the Chief of Naval Operations provide suitable guidance.

(18) On 13 March 1963, a memorandum from the Air Force Chief of Staff was submitted to the Joint Chiefs of Staff requesting clarification of joint policy. Presented with this dilemma between the Air Force and the Navy, the Joint Chiefs forwarded the problem with accompanying observations to the Secretary of Defense, Robert S. McNamara.

(19) The Air Force spokesman maintained the position that "any policy which recommends name, rank, service number, and date of birth as the prisoner's sole defense against enemy interrogation and exploitation is unrealistic, and unnecessarily exposes vital security information to compromise and disclosure through the failure to recognize the fact that this policy has not worked in past wars."⁶¹

(20) On the other hand, representatives from the Army, Navy, and Marine Corps, with the Chairman of the Joint Chiefs concurring, argued that a prisoner should give name, rank, service number, and date of birth only. They contended further that it was completely unreasonable to place a military man in a context of having to evaluate his answers to an interrogator while experiencing the mental stresses and physical conditions of capture.

(21) On 3 January 1964, the Secretary of Defense, in a memorandum for the Chairman of the Joint Chiefs, stated that he could accept neither recommendation offered by the Joint Chiefs. As an alternative, Secretary McNamara suggested that the Joint Chiefs develop specific recommendations for instructional material for use in training all members of the Armed Forces in regard to their response to enemy interrogation.

(22) The Joint Chiefs of Staff continued deliberation on this matter until 27 May 1964 when the Chairman sent to the Secretary of Defense a proposed Department of Defense (DOD) Directive. The Secretary approved the document which was published on 8 July 1964 as DOD Directive 1300.7, "Training and Education Measures Necessary to Support the Code of Conduct."

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(23) This Directive established "policies and procedures" to provide "basic guidance for the development and execution of training, including instructional material, in furtherance of the aims and objectives of the Code of Conduct for Members of the Armed Forces." The document also outlined certain objectives concerned with maintaining "energetic, uniform and continuing training programs in behalf of the Code of Conduct," among the several Military Departments.⁶²

(24) The Directive delineated four "policies" in regard to the Code of Conduct and training in support of it. The Directive provided two statements of guidelines for training: "Guidance for Development of Training Programs and Instructional Materials in Support of the Code of Conduct" and "Guidance for Instruction in Each Article of the Code of Conduct." The latter guidance merely reiterated the "instructional material" pertinent to each article suggested by the Defense Advisory Committee in 1955.⁶³ Finally, the Directive clearly demonstrated the responsibility of the Office of the Secretary of Defense to supervise the training to insure conformity with the policies and guidance. The Secretaries of the Military Departments were given the accompanying responsibilities of "develop(ing) a system of exchanging experiences and materials related to the Code of Conduct in furtherance of coordination and improvement of knowledge."⁶⁴

(25) The publication and propagation of DOD Directive 1300.7 were intended to settle the complexities of Article V of the Code of Conduct and clarify the policy for the Armed Forces in regard to what a prisoner should say to the enemy. In reality, however, the Directive failed to resolve the issue. On the one hand, the Directive clearly demands adherence to name, rank, service number, and date of birth.⁶⁵ Yet, the Directive acknowledges the necessity and actually permits a prisoner of war to discuss health and welfare conditions and matters of camp administration.⁶⁶ More significantly, the Directive recognizes that training in responses beyond name, rank, service number, and date of birth is requisite:

This instruction (on the Code of Conduct) should:

Explain how resistance can be accomplished under varying interrogative techniques and degrees of coercion which may be utilized by an enemy.

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To claim inability to think, to claim ignorance, to claim inability to talk, to claim inability to comprehend, constitute adherence to name, rank, service number and date of birth.⁶⁷

(26) The escalation of the Vietnam conflict and the subsequent increase in the number of U.S. prisoners held by the enemy in South-east Asia focused some attention upon the Code of Conduct. Each military department continued to implement training on the Code of Conduct independently. Each military department continued to perceive the tenets and structures of the Code in a different light, particularly in view of the exigencies of warfare.⁶⁸ The most notable attempt at inter-service standardization has been a "systematic formal review" of the Code conducted at the Department of Defense, "where data on the effectiveness of the Code are gathered, analyzed, recorded, and discussed."⁶⁹

(27) Shortly after the publication and dissemination of DOD Directive 1300.7, two changes were made in the original document and were effected on 1 October 1964. Both changes were concerned with policies.

(28) The first change represented a notion expressed by President Eisenhower in his statement promulgating the Code of Conduct. After 1 October 1964, the DOD Directive included a portion of President Eisenhower's remarks as a policy theme:

No American prisoner of war will be forgotten by the United States. Every available means will be employed by our government to establish contact with, to support and to obtain the release of all our prisoners of war. Furthermore, the laws of the United States provide for the support and care of dependents of members of the armed forces including those who become prisoners of war. I assure dependents of such prisoners that the laws will continue to provide for their welfare.⁷⁰

The nature of this change to the Directive was to assure the U.S. fighting man "that the burdens and terrors of captivity are not his alone and that his government is backing him and his family up."⁷¹

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(29) The original Directive contained the thought, originated by the Defense Advisory Committee, that "the fight is everywhere - even in the prison camp."⁷² The Defense Department had interpreted this statement in its own fashion: ". . . . prisoner of war compounds are but an extension of the battlefield" ⁷³ The Directive was changed to read, ". . . prisoner of war compounds are in many ways but an extension of the battlefield. . . ." (Emphasis added.) The interjection of the phrase "in many ways" subtly recognized the special category for prisoners of war established by the 1949 Geneva Convention. Prisoners of war are subject to conditions distinct from those of a combat soldier. To equate the prison camp with the battlefield is to demand and sanction prisoner-initiated violence, completely at odds with the expectations underlying the Geneva Convention. "In many ways" apparently provides for "resistance by spirit and mind to enemy efforts to exploit the PW's."⁷⁴

(30) The recent past has provided too few opportunities to assess the efficacy of the Code of Conduct in an actual prisoner of war environment. The general attitude of the few repatriates from prisoner of war experiences during the Vietnam conflict concerning the Code has been one of approval. While the Code apparently did not provide the exclusive determinant for all their actions, its contribution was in line with the original intent -- a set of guidelines for behavior. While repatriates agree that restricting communication to name, rank, service number, and date of birth is far from realistic, their experiences led them to embrace the wider direction of, "I will evade answering further questions to the utmost of my ability." While training had emphasized the more restrictive demand of the four basic items, the experience of captivity demanded the more realistic latitude. It is incumbent for training to correspond to potential experience.

3. TRAINING IN SUPPORT OF THE CODE OF CONDUCT:

a. Army Guidance:

(1) The fundamental expressions of doctrine concerning the Code of Conduct are incorporated in various field manuals. Generally, material concerning the Code consists of an inclusion of the articles of the Code, either with or without the accompanying explanatory notes.⁷⁵ If a doctrinal source offers any further guidance, almost invariably there is a surprising lack of specific comment:

The Code of Conduct governs your actions at all times.

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You never surrender of your own free will, and you never surrender men under your command while they still have the means to resist.

If captured, continue to resist in every way possible; make every effort to escape and to help others to escape. Do not accept special favors from the enemy. Do not give your word not to escape. Give no information and do nothing which will harm a fellow prisoner. Give only name, rank, service number, and date of birth. Evade answering any other questions. It is your duty to resist the enemy in every way -- to escape and to continue to fight.⁷⁶

Such doctrine lends little additional guidance to the prose of the Code, and often tends to oversimplify the ideas contained therein.

(2) Prisoner of war experiences in the Vietnam conflict have contributed to a relative degree of sophistication in detailed doctrine on resistance, and subsequently on the Code of Conduct. Much of the material contained in FM 21-77A, Joint Worldwide Evasion and Escape manual, is classified which precludes its widespread dissemination. Although this particular manual does include a more detailed analysis of resistance to interrogation, indoctrination, and exploitation, it really contributes little beyond the dimensions of DOD Directive 1300.7 and the related Army regulation.⁷⁷

(3) The official Army training guidance for the Code of Conduct is found in Army Regulation 350-30, "Education and Training: Code of Conduct" (8 July 1968). The most apparent feature of AR 350-30 is its incorporation of the diction and ideas of DOD Directive 1300.7. While the other services' implementing guidance on Code of Conduct training includes separate copies of the DOD Directive in its entirety, the AR has extracted wholesale portions of the Directive, but has provided a distinct organization of the guidance.⁷⁸ The AR, therefore, has its own structure, but the Department of Defense is responsible for most of the rhetoric.

(4) In its introduction to Code training, AR 350-30 describes the applicability of the Code of Conduct, which "applies at all times to all members of the United States Armed Forces...."⁷⁹ By the AR, "all members" include "those who are forceably detained by a foreign

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state or entity for their participation, actual or alleged, in military operations during foreign internal conflicts, international armed conflicts or in other belligerent hostilities in which the United States may be involved." Yet the guidance is not clear since it provides no explanation in reference to pertinency of the Code in a situation which can be described neither as a foreign internal conflict, an international armed conflict nor other belligerent hostility (for example, the Pueblo incident or legitimate incarceration in foreign penal institutions). Although the Code applies "at all times," there are possible situations which the AR apparently fails to address. By further clarifying the nature of the applicability of the Code, the Army might avoid the conflicting image presented by the US Navy in the furor over the Pueblo affair. According to the Navy training instructions, the Code also applied "to each member of the Armed Forces at all times."⁸⁰ Yet at the Naval Court of Inquiry, it appeared that the Naval attorney had reversed the opinion of the Judge Advocate General of the Navy on the applicability of the Code. Although the official Navy position remained consistent, the uncertain nature of the legal aspects lent an aura of indecision to the Navy's reaction.⁸¹ The problem remained: Does the Code apply in a situation in which there are no actual "prisoners of war," since the terminology of the Code specifically refers to "prisoners of war?" The Army Regulation seems to skirt the issue.

(5) The succinct statement of the objectives of military training on the Code paraphrase the tenets of the Code. According to the Regulation, training in support of the Code "will have the objectives of increasing unit fighting strength and instilling in the individual the responsibility to oppose hostile forces by all means available and to evade capture or surrender; but, if taken prisoner, to resist interrogation and indoctrination, to maintain loyalty with and assist fellow prisoners and to make every attempt to escape and help others to escape."

(6) The Army Regulation repeats in some detail four objectives of DOD Directive 1300.7 in applying those training obligations to the Army training program in support of the Code. Corroborative evidence demonstrates that the Army program has been less successful in attaining these objectives.

(7) According to the DOD Directive and AR 350-30, the Army must impress upon each soldier "a clear and uniform understanding of his obligations, responsibilities, and the behavior expected of him

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in combat, or while forcibly detained by a foreign state or entity." As praiseworthy as this intention is, reality indicates that full achievement of it has not been realized. It is not completely reasonable to define for an individual the nature and substance of "a clear and uniform understanding of something which is perceived as "a statement of expectations (emphasis added)." According to the Executive Order which promulgated the Code, members of the Armed Forces are "expected to measure up to the standards."⁸² It is far from reasonable to anticipate that training can successfully make uniform the individual's perception of an expected course of behavior, particularly one which leaves a great deal to the responsibility of the individual.

(8) Moreover, there is some indication that Army training in support of the Code has been less than adequate in demonstrating what is "the behavior expected . . . while forcibly detained by a foreign state or entity." A survey directed to repatriated US Army prisoners of war in the Vietnam conflict and prepared by this study has made some interesting revelations.⁸³ The former prisoners of war were asked, "Did you consider yourself properly trained in what your government expected of you at the time of your capture?" In response to this query, only slightly more than half of the replies (55%) indicated that Army training had made the former prisoners aware of the behavior expected of them.

(9) A second demand imposed upon Army training on the Code of Conduct by the Defense Department and the Department of the Army is that soldiers must develop "a positive acceptance of the spirit and letter of the Code of Conduct, and the recognition that the Code of Conduct is a binding military obligation." There is no effective measurement of the degree to which Army training has fostered "a positive acceptance of the spirit and letter of the Code." The Code of Conduct clearly is not a binding military obligation in itself. The original proclamation from the President made it clear that the Code was a collection of standards to which a serviceman was "expected" to aspire. There was no binding obligation to do so. It is a rare observer who can perceive the Code of Conduct as more than a guide for expected behavior. Obviously the Code includes no penal sanctions; its provisions are neither mandatory nor directive:

The Committee that drew up the Code, after listening to former prisoners of war, ranging from general to private, and after consulting with nationally known experts in the field of law...

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realized that some (prisoners) might not measure up to the standards of the Code. However, the Code provides no penalties. It is not definitive in its terms of offenses; rather, it leaves to existing laws and the judicial processes the determination of personal guilt or innocence in each individual case.⁸⁴

(10) A reading of the articles of the Code and a review of the background of its formulation provide the inescapable conclusion that the framers of the Code intended the specific provisions to be considered as the duty of the American fighting man, but not as legally binding. There is no mention of criminal statute or regulatory stipulation.⁸⁵ It is difficult to disagree with the US Navy judge advocate at the Pueblo Court of Inquiry, who remarked, "Failure to observe the guidelines of the Executive Order (No. 10631, promulgating the Code of Conduct) is not in my mind a criminal offense."⁸⁶ This interpretation has been corroborated by an unpublished opinion of the Judge Advocate General of the Army:

Conduct in contravention of the Code of Conduct can only be punished if the conduct also violates some provisions of the UCMJ (Uniform Code of Military Justice). The Code of Conduct is not intended to be a penal code. It is, rather, a moral guide for conduct while a prisoner of war. The Code of Conduct does not direct the members of the armed forces to measure up to the standards of the Code of Conduct, and it contains no language indicating punitive consequences for its disregard.⁸⁷

(11) However, the legal and historical precedents notwithstanding, Army doctrine and training in support of the Code of Conduct demonstrates that the Code remains a "binding military obligation."⁸⁸ Yet, elsewhere throughout the document, there is no connection made between the Code and "binding . . . obligation." The significant statements of "obligation" relate prisoner of war conduct and the Uniform Code of Military Justice, not the Code of Conduct.

(12) The Army Subject Schedule is intended to insure maximum uniformity of training in all components of the Army, "by serving as

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a guide in the preparation of lesson plans for training in support of the Code of Conduct."⁸⁹ Yet on the subject of "binding obligation," the Army Subject Schedule patently equivocates. In paragraph 2, the subject schedule states:

As members of the Armed Forces of the United States, we are all subject to certain laws and regulations somewhat different from those found in civilian life. This, of course, is due to the surroundings and situations made peculiar by the necessity for the defense of our nation.⁹⁰

It is clear from the context of the paragraph that the Code of Conduct is a part of a system of "laws and regulations" which is a distinctive feature of the military environment. Laws and regulations imply obligation. However, the subject schedule continues, "The Code of Conduct was drafted with the intention of providing military personnel with a standard by which they might guide themselves in the event they fall into the hands of the enemy during an armed conflict."⁹¹ This sentence apparently indicates something less than a "binding military obligation." The combination of those two statements points to an obvious inconsistency.

(13) The final broad demand placed upon Army training in support of the Code of Conduct is a consequence of the amendments to the original DOD Directive. According to this guidance, Army training will assure the individual soldier of three facts:

(1) As a prisoner of war, every fighting man continues to be of special concern to the United States; that the rights to which he is entitled, his promotional status, pay and allowances, and dependent care, continue during his time of incarceration.

(2) Every available means will be employed to establish contact with, and to gain release of prisoners of war.

(3) During his incarceration every available means will be employed to insure that while in captivity, prisoners of war are afforded protection and rights under the provisions of the Geneva Prisoner of War Convention (GPW).

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(14) Remarks from former prisoners of war intimate that these delineated programs may not be implemented to the degree indicated.⁹² Of greater applicability for the Army training in support of the Code is the apparent fact that little is done to publicize these programs to the individual serviceman, in blatant contrast to the directions of the DOD Directive and the AR. In an interview of basic trainees at Fort Jackson, nearly 75 percent of the respondents declared that they were unaware of the Army's efforts on behalf of themselves or their families in the event they were captured. Twelve percent indicated that their families would be notified, and only 10 percent were able to name anything more in regard to the Army efforts. More than 80 percent of the personnel of the 82d Airborne Division interviewed professed ignorance of the benefits offered to families of prisoners by the Army. With the exception of the Special Forces officers queried, less than six percent of any group from the 82d Airborne Division or the 5th Special Forces Group could offer an adequate summary of the programs for care of families.

b. Basic Policies of Code Training:

(1) For the convenience of establishing "basic policy" and "PW attitudes and actions," both the DOD Directive and the AR divide the articles of the Code of Conduct into two groups. The first arrangement includes Articles I, II, and IV, and purports to present the "basic policy" of the Code instruction. "The basic policy governing all Code of Conduct instruction and instructional material will be to develop in every member of the Armed Forces a positive attitude that he can and must oppose and defeat absolutely, mentally, and physically, any enemy of his country." Characterized as a "positive attitude," this notion is designated as "the central theme of all instruction" (emphasis added). The rather non-controversial ideals of articles I ("I am an American fighting man . . . I am prepared to give my life . . ."), II ("I will never surrender . . ."), and VI ("I will never forget that I am an American, responsible for my actions . . .") are not really sufficient to provide more than a rudimentary and enigmatic reference for Code of Conduct instruction. They provide little solace or guidance for an individual who must exist in a very real prisoner of war environment. To hold such tenets as the "central theme for all instruction" is to belittle the importance of specific guidance in favor of platitudes.

(2) Prisoner of war "attitudes and actions" are associated with articles III, IV, and V of the Code of Conduct. According to

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regulation, instruction "will impress upon every soldier that prisoner of war compounds are an extension of the battlefield, and that the inherent responsibilities of rank and leadership, military bearing, order and discipline, teamwork and devotion to fellow servicemen, and the duty to defeat any enemy of our country are paramount under all conditions at all times." While most of these virtuous characteristics might seem better fitted to the barracks than a prisoner of war compound, particularly in light of the Vietnam experience, they are no less commendable. Yet, in this guidance on cultivating "attitudes" in the serviceman there is a serious omission.

(3) AR 350-30 includes the clause that "prisoner of war compounds are an extension of the battlefield." In addition to contravening DOD Directive 1300.7, the sense of this statement is in direct contradiction to the Geneva Convention on Prisoners of War (GPW) to the extent it appears to contemplate violent confrontations. The rationale for this notion is relatively easily discernible. The Defense Advisory Committee on Prisoners of War, which drafted the Code of Conduct, titled its report to the Secretary of Defense POW - The Fight Continues After The Battle. In its explanation of the new Code, the Committee did not equivocate: "The fight is everywhere. Even in the prison camp." With this statement as a premise, it would appear that the "extension of the battlefield" guidance would be reasonable.

(4) Yet, there are more transcendent considerations. "It does not seem consistent for a country which has signed and ratified a treaty providing for the humane treatment of its military personnel who may become PW's to issue subsequent instructions to its military personnel that, while expecting humane treatment from their captors, they must convert the PW camp into a battlefield. Thus, there would seem to be little difference between the conditions of captivity and combat. The purpose of the GPW could be destroyed by such conduct."⁹³ Acceptance of the "extension of the battlefield" principle would have the effect of "making the captive a prisoner at war rather than of war."⁹⁴

(5) This inconsistency between the Geneva Convention and the training directions on the Code of Conduct was recognized and incorporated in the amendment to DOD Directive 1300.7. The original Directive contained the clause, "prisoner of war compounds (PW status) are but an extension of the battlefield. . . ."⁹⁵ The connotation of this expression matches that of the current Army Regulation. Amendments to the original DOD Directive, dated October 1, 1964, however,

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added a subtlety of meaning. According to the current DOD Direction, "prisoner of war compounds (PW status) are in many ways but an extension of the battlefield. . . ."96 The Army Regulation has yet to reflect this distinction which has the effect of discouraging behavior on the part of prisoners of war which could be construed as illegal according to the laws of the detaining power.⁹⁷

(6) AR 350-30 cites as guides for proper "PW attitudes and actions," appropriate expressions from Article III ("I will continue to resist I will make every effort to escape"), Article IV ("I will keep faith with my fellow prisoners If I am senior, I will take command"), and Article V ("I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions I will make no oral or written statements").

(7) The delineated intention of training programs for instruction in the Code of Conduct is the establishment of a "positive attitude." There may be some doubt that a positive attitude is a feasible objective, particularly in light of the Code itself. On more than one occasion the Code has been described as "the military equivalent of the Ten Commandments."⁹⁸ This description is especially interesting, since in both the Commandments and the Code, the principal statements profess a negative orientation. The intentions of promoting a positive attitude notwithstanding, the most readily perceivable tenets of the Code are negative in character ("I will never surrender I will accept neither parole nor special favors I will give no information I am bound to give only I will make no oral or written statements I will never forget"). While these negatively oriented admonitions certainly impress the individual serviceman to a greater extent than affirmative statements, there is some question about their influence upon the cultivation of the demanded "positive attitude."

c. Specific Training Required:

(1) The "Training Guidance" section of the Army Regulation contains more specific subject areas. The nature of the list of topics to be addressed includes a pervasive list which encompasses nearly every incident within the prisoner of war experience. This collection of topics far exceeds demands for a strict interpretation of Code of Conduct training. The topics outlined by the regulation on Code training could better be collected under the general title of resistance training, as the Air Force and Navy have organized

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their programs.⁹⁹ In fact, the Army Regulation demands that the expansion of the individual's comprehension in these subject areas will lead to a development and strengthening of "resistance to interrogation, indoctrination, and exploitation." Although the Code of Conduct does provide the metaphysical rationale for the behavioral subjects delineated in the AR, to assemble these varied topics under the heading of "Education and Training: Code of Conduct" is to distort the role of the Code. The Code of Conduct presents a collection of general guidelines for behavior, which are best portrayed as the theme for resistance training, not the specific areas of resistance. The contemporary orientation of Army training in support of the Code ascribes much more emphasis to resistance than is warranted or is suitable. Thus, resistance training, by regulation, is divorced from survival, escape, and evasion training and is subordinated to Code of Conduct training.

(2) According to AR 350-30, Code of Conduct training is designed to provide some fundamental political and moral commentary and historical analysis:

- (1) The basic truths and advantages of our democratic institutions.
- (2) The moral fiber provided by religious convictions.
- (3) National, military, and unit history and traditions.

These dimensions for training, recommended by the Defense Department in DOD Directive 1300.7, were derived from the notions of the Defense Advisory Committee on Prisoners of War. The Committee determined that a man's physical capacity for resistance "must be reinforced by will--by moral character and by basic beliefs instilled in home and classroom long before a lad enters the military service. Pride in a country and respect for its principles--a sense of honor--a sense of responsibility--such basics should be established long before 'basic training,' and further developed after he enters the Armed Forces."¹⁰⁰ In order to complement these pre-Service attitudes, the Committee recommended that "the services find an effective means of coordinating with civilian educational institutions, churches and other patriotic organizations to provide better understanding of American ideals."¹⁰¹ The realization of this recommendation would be extremely difficult for a variety of reasons. The interpretation of the "basic truth and advantages of our democratic institutions," and "American ideals" is currently left up to the imagination of the individual instructor.

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Adequate machinery to succinctly assemble, institutionalize, and instruct such philosophical doctrines would be difficult to establish. The continued requirement that such intangibles be inculcated by the Army is an ambitious expectation. Not currently equipped to handle this requirement, the Army, in fact all Services, must develop uniform doctrine in this area before it can discharge its responsibility.

(3) At some length AR 350-30 describes the ideals to be attained in specific subject areas in the training programs in support of the Code of Conduct. This training guidance involves a dozen pervasive topics concerned with the entire spectrum of the prisoner of war experience. In theory, "each serviceman will be instructed on how to avoid capture, evade detection, and survive when operating in enemy territory." In extremely general terms, this demand provides the basis for the Army's "Survival, Evasion and Escape" training, which is an integral subject of the subsequent section of this chapter.

(4) The AR adds another rather general, but significant, topic to be addressed in Code training. The soldier must be made aware of "what to expect from his captors should he have the misfortune to be captured, or detained, and how to concentrate all his resources toward escape by himself or with the help and assistance of others with emphasis on attempting to escape as soon as possible after capture." As with the evasion requirement, the latter concern with escape logically pertains to the subject of "Survival, Evasion and Escape."

(5) The notion of awareness of "what to expect from his captors," however, is crucial for the potential prisoner of war. Uncertainty is a major psychological phenomenon related to the experience of capture and internment. It is imperative that the individual soldier, susceptible to capture, be made aware of prisoner of war management principles and techniques of the enemy as well as the effects of captivity. There are indications that Army training imparts to the individual soldier something less than adequate knowledge and ability to anticipate the behavior and attitudes of his captors toward him. Seventy-one percent of the former prisoners of war queried remarked that they were not made familiar with the "techniques the Communists employ against prisoners of war." As a result, these individuals were not given the opportunity to know what to expect from their captors. Responses from the interviews with the trainees at Fort Jackson present similar findings. Ninety-four percent were unable to identify techniques which an enemy

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interrogator or indoctrinator might use. Interviews revealed that more experienced Army personnel were unfamiliar with interrogation and indoctrination techniques. While 41 percent of the officers of the 82d Airborne Division sample adequately described such techniques, only one-fourth of the 5th Group officers could do so. Only 17 percent of the enlisted men of the 82d Airborne Division and 3 percent of enlisted men questioned in the 5th Group could adequately identify possible techniques. The deductive assumption can be made that these individuals were not acquainted with techniques of enemy prisoner of war management as a result of their training.

(6) This apparent inability of the Army training to address the problem of familiarizing the individual soldier with enemy prisoner of war techniques is related to additional dimensions outlined in AR 350-30. The regulation specifically states that Code of Conduct instruction will include "a description of the adverse physical and mental conditions under which (interrogation) methods and techniques are conducted." It is reasonable to speculate that if the training fails to effectively define enemy prisoner of war techniques and principles, then the same training will not be designed to completely describe the companion "adverse physical and mental conditions."

(7) The connection between Code of Conduct training and resistance training is underscored by the responsibility placed upon Code training to "explain how resistance can be accomplished under the varying interrogative techniques and the degrees of coercion which may be utilized by an enemy" AR 350-30 does not elucidate or identify to any extent suggested methods of resistance to interrogative techniques. This omission constitutes a serious deficiency on the part of the regulation. In contrast, DOD Directive 1300.7 does offer, but not in any great detail, some further dimension to resistance techniques:

(Code of Conduct instruction should) explain that dogmatic refusal to answer a question of an interrogator with: "I will not answer your questions;" "I will not say anymore;" "my orders are to give my name, rank, service number, and date of birth; I will not give you anything else;" or to claim inability to think, to claim ignorance, to claim inability to talk, and to claim inability to comprehend, constitute adherence to name, rank, service number, and date of birth.¹⁰²

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While these suggested possible courses of action are in themselves somewhat limited, they do offer a definite alternative to the "name, rank, service number, date of birth only" orientation so often emphasized. Even this limited alternative is more explicit and more realistic than any similar guidance found in the AR, the Army Subject Schedule, or even the explanatory notes accompanying the Code of Conduct. The failure on the part of the AR to reiterate this paragraph of the Defense Department guidance serves to demonstrate a reliance upon the name, rank, service number, date of birth only stricture.

(8) The absence of any detailed methods of resistance to interrogation and indoctrination in the regulation is clearly reflected in the training in support of the Code. Replies to the questionnaire from former prisoners of war pointed out the fact that 86 percent of them had received no instruction "in methods to resist interrogation and indoctrination beyond dependence upon name, rank, serial number, and DOB (date of birth)." Similarly, 87 percent of the Fort Jackson trainees interviewed indicated that they had not been exposed to resistance methods other than reliance upon name, rank, service number, and date of birth. Of the remainder of the trainees, who responded that they had been made aware of further resistance methods, fewer than 3 percent were able to provide an adequate or relevant example of such methods. Less than one-fourth of the personnel queried in the 82d Airborne Division responded that they had received instruction in supplementary resistance measures, although one-half of the Special Forces personnel indicated that they had received such training. The descriptions of these methods, however, were less than adequate in most cases. This evidence serves to indicate a possible need to provide a realistic scheme for further guidance in resistance measures at least to the extent provided in the DOD Directive.

(9) AR 350-30 provides for instruction which stipulates that a prisoner of war is allowed to complete the "capture card" specified by the Geneva Convention Relative to Prisoners of War (see Figure 18. The regulation requires a single reservation in providing the information: "Under no circumstances will he (the prisoner of war) provide any former US military addresses in the completion of the capture card." The pertinent Army Subject Schedule makes it clear that the prisoner of war is permitted to complete the capture card.¹⁰³ What is clear in the subject schedule is apparently not so clear to the individual soldier. Only 29 percent of the repatriated former prisoners of war stated that captured U.S. military personnel were permitted to supply

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1. Front

PRISONER OF WAR MAIL		Postage free
CAPTURE CARD FOR PRISONER OF WAR		
<p style="text-align: center;">IMPORTANT</p> <p>This card must be completed by each prisoner immediately after being taken prisoner and each time his address is changed (by reason of transfer to a hospital or to another camp). This card is distinct from the special card which each prisoner is allowed to send to his relatives.</p>	<p>CENTRAL PRISONERS OF WAR AGENCY</p> <p>INTERNATIONAL COMMITTEE OF THE RED CROSS</p> <p>GENEVA SWITZERLAND</p>	

2. Reverse side

Write legibly and in block letters		1. Power on which the prisoner depends _____
2. Name _____	3. First names (in full) _____	4. First name of father _____
5. Date of birth _____	6. Place of birth _____	
7. Rank _____		
8. Service number _____		
9. Address of next of kin _____		
10. Taken prisoner on: (or) Coming from (Camp No., hospital, etc.) _____		
11. (a) Good health—(b) Not wounded—(c) Recovered—(d) Convalescent—(e) Sick—(f) Slightly wounded—(g) Seriously wounded.		
12. My present address is: Prisoner No. _____		
Name of camp _____		
13. Date _____	14. Signature _____	
* Scribe out what is not applicable—Do not add any remarks—See explanations overleaf.		

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size: 13 by 10.5 centimeters.

FIGURE 18: RED CROSS CAPTURE CARD

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the information required by the "capture card." Nearly one-third of the former prisoners could not even identify the card. Less than one-third of the Fort Jackson trainees reviewed recognized that completion of the card was permitted by the regulation. Less than 20 percent of the 82d Airborne Division officers felt that completing the capture card was permissible and only 9 percent of the Special Forces officers responded similarly. The figures for the enlisted men of the 82d Airborne Division and the 5th Special Forces Group were 28 percent and 21 percent, respectively. There is no explanation for this inconsistency between the policy of the Army Regulation and the misunderstanding manifested by the individual soldier. The regulation is unequivocal on this point.

(10) In a comprehensive summary, AR 350-30 adds several areas to be addressed in training in support of the Code of Conduct. The individual soldier is to be advised of "the physical and mental aspects of captivity with respect to survival techniques and well being." In addition, Code training is to emphasize "that a knowledge of the physical and mental conditions of PW internment and the stressing of survival ability through leadership, group and individual loyalties, special systems of organization, training in sanitary discipline, personal hygiene, and other medical, mental and physical aspects of the problem are essential." These topics provide a major thesis for the more detailed discussion of Army training analyzed in the subsequent section of this chapter.

d. The "Big Four" Syndrome:

(1) A significant problem imposed in the Army training in support of the Code of Conduct is the lack of substantive guidance on permissible conversation with the captor. DOD guidance and DA regulation 350-30 Army training advise the individual serviceman "that should he be subjected to extremes of coercion, he will avoid the disclosure of information, the making of any oral or written statement, of the performance of any act harmful to the interests of the United States or its Allies, detrimental to fellow prisoners, or which will provide aid or comfort to the enemy [emphasis added]." The difficulty in insuring competent and comprehensive training in regard to this guidance is its inextricable connection with the current interpretations of Article V of the Code of Conduct:

When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number and

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date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

(2) The problem with Article V lies in a placement of emphasis in interpretation, a subtle distinction with pervasive implications. Interviews with numerous personnel indicated wide divergences in interpreting the distinction between "I am bound to give only name, rank, service number, and date of birth" and "I will evade answering further questions to the utmost of my ability." The difficulty in respect to training involves the determination of which of these statements is to represent the basic theme of Article V and whether either statement actually forbids routine conversation among PW's and captors in non-interrogation situations.

(3) According to the report of the Defense Advisory Committee, the "Big Four and nothing more" conception was not the intention of the wording of Article V of the Code of Conduct:

The Committee agreed that a line of resistance must be drawn somewhere and initially as far forward as possible. The name, rank and service number provision of the Geneva Convention (Article 17, GPW) is accepted as this line of resistance.

However, in the face of experience, it is recognized that the POW may be subjected to an extreme of coercion beyond his ability to resist. If in his battle with the interrogator he is drawn from his first line of resistance, he must be trained for resistance in successive positions. And to stand on the final line to the end-- no disclosure of vital military information and above all no disloyalty in word and deed to his country, his service, or his comrades.¹⁰⁴

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This explanation makes it clear that the "Big Four" was not designed to be a prisoner's sole communication with his captor. What the report of the committee failed to clarify was the scope of "successive lines of resistance." As a result, DOD policy does not underwrite the successive lines approach.

(4) BG S. L. A. Marshall, USA (ret.), the individual credited with the actual drafting of the Code and the final witness before the Defense Advisory Committee, has further amplified the implications of Article V:

Far from limiting the American POW to name, rank, serial number, and age when under interrogation, the code frees him to resist by discussing almost anything with his captors, provided he does not betray the interests of the United States or its allies, or do anything to hurt his fellow prisoners. It was written in 1955 specifically to give the POW this much freedom of action, and to cut away from the former demanding requirement (i.e., "Big Four" only) that was both unworkable and contrary to nature.¹⁰⁵

(5) BG Marshall further analyzes this notion by admitting the existence of an inherent ambiguity within Article V of the Code. According to Marshall, the statement "I am bound to give name, rank, service number, and date of birth" has been popularly and mistakenly perceived as meaning "that the POW may recite only these things what it means is that he is compelled to give this much information. The article literally quotes the Geneva Convention, and because the exact verb ("am bound") had to be used there was no way around the ambiguity."¹⁰⁶

(6) Prior to the formulation and promulgation of the Code of Conduct, a U.S. prisoner of war was authorized to reveal to his captors nothing but the four basic items. Marshall has contended that the publication of the Code in 1955 would have been a moot exercise if the intention was to restrict servicemen to communicating only rank, name, service number, and date of birth. "The Code was put forth as a reform to give the PW some freedom of thought and speech in fencing with his captors, whereby he might evade answering questions leading to betrayal of the national interest, either by lying or by talking around the subject."¹⁰⁷

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(7) The idea that Article V of the Code actually offered the U.S. prisoner of war substantial latitude in his interrogation experience was not a common one. It was not a widely popularized conception of the Code which held that "I will evade answering further questions to the utmost of my ability" superceded the import of the "Big Four." Few spokesmen agreed that the Code permitted a great deal of communicative liberty:

He (the prisoner of war) should learn to give only his name, rank, serial number, and date of birth in response to any question that the Geneva Convention does not require him to answer. If forced from this position by overwhelming pressure, he must be prepared to utilize vague and evasive statements, garrulous and circumstantial recitations, and 'cover stories' if such have been agreed upon. He must have a poor memory, be unable to understand the questions, and appear confused and bewildered.¹⁰⁸

(8) Defense Department guidance implicitly allowed for more than rigid adherence to name, rank, service number, and date of birth: ". . . to claim inability to think, to claim ignorance, to claim inability to talk, and to claim inability to comprehend, constitute adherence to name, rank, service number, and date of birth."¹⁰⁹ Although this recognition of the apparently intended interpretation of Article V is somewhat less than liberal, it does represent more of an accommodation than total and unyielding adherence to the "Big Four".

(9) Furthermore, there exists a slight, but significant, differentiation in diction revealed in the specific guidance in respect to Article V expressed by the Defense Department and by the Army Regulations. In the initial sentence of discussion relative to Article V, DOD Directive 1300.7 states, "When questioned, a prisoner of war is required by the Geneva Convention and permitted by this Code to disclose his name, rank, service number, and date of birth."¹¹⁰ This statement implies no obligation to refrain from further communication, but merely states a Code-recognized responsibility under the Geneva Convention on Prisoners of War. The DOD

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Directive exactly reflects the wording on the amplifying notes accompanying Article V, delineated by the Defense Advisory Committee in its report.

(10) The "explanation" of Article V, differs slightly in AR 350-30. The regulation states "when questioned, a prisoner of war is required by the Geneva Convention and permitted by this code to disclose his name, rank, service number, and date of birth only." (Emphasis added.) Reflecting DOD, this rather rigid interpretation of the character of Article V is reiterated in several US Army documents concerning the Code of Conduct. In its concluding resume' in the included sample lesson plan, Army Subject Schedule 21-15 states, "You are to give only your name, rank, service number, and date of birth when questioned."¹¹² A DOD pamphlet, "The US Fighting Man's Code" (DA Pam 360-552), explicitly rejects the guidance of the Defense Advisory Committee on training for 'successive lines of resistance.'¹¹³

The PW may be subjected to an extreme of coercion. Still, he must resist to the limit of his ability. He can't expect to fall back to successive lines of resistance. Once he has gone beyond the first - his name, rank, service number, and date of birth - in almost any respect whatever, he has taken the first step that leads to collaboration. On the first line he must endeavor to stand to the end.¹¹⁴

(11) Interviews with the trainees at Fort Jackson revealed the extent of this rigid interpretation of the "name, rank, service number, and date of birth only" tenet of Article V of the Code of Conduct. Ninety-eight percent of those interviewed indicated that they had been instructed to give the enemy only the "Big Four," of name, rank, serial number, and date of birth. A related query led to an inconsistent pattern of reply, but nevertheless indicated the orientation of the training program. When asked if their training had assured them that they could "go beyond the 'Big Four' in order to 'evade' answering questions," 98 percent responded negatively. Similarly, when asked to explain their understanding of the second sentence of Article V ("I will evade answering further questions to the utmost of my ability."), less than 10 percent were capable of offering any intelligible reply which even approximated the intended scope of the idea of interrogative evasion. All of the subject

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officers of the 82d Airborne Division and of the 5th Special Forces Group responded that they were instructed to "give the enemy only the 'Big 4'." Ninety-one percent of the enlisted men of the 82d Airborne Division and 90 percent of the enlisted men of the 5th Special Forces Group noted that they were instructed to reveal only name, rank, service number, and date of birth. Of all the individuals queried among the 82d Airborne Division and the 5th Special Forces Group, less than 1 in 20 were able to explain the meaning of the word "evade" in a context other than that of the Big Four.

(12) In retrospect, two facts appear relative to the Army interpretation of training in support of Article V of the Code of Conduct:

(1) The principle theme of the Army interpretation is grounded in a conscious adherence to "name, rank, serial number and date of birth only."

(2) The individual's appreciation of the demands of Article V differs appreciably, in light of dealing with the Code in an actual or in an academic environment. Experience as a prisoner reduces the pro forma adherence to the rigid interpretation.

e. Geneva Conventions:

(1) AR 350-30 contributes a modicum of guidance pertinent to training in respect to the Geneva Convention on Prisoners of War. The regulation imposes the general demand that Army training will advise each serviceman that "the Geneva Convention of 1949, Relative to the Treatment of Prisoners of War, are (sic) applicable during captivity." This legal truism is sometimes meaningless, however, since the actual application of the Convention is dependent upon the good faith of the detaining power and the degree to which it is applied by that power and the degree of impartial supervision by a protecting power or a substitute for a protecting power. Communist nations have displayed a marked inclination to make reservations to the Geneva Conventions, which has had a definite effect upon circumstances of captivity. The DOD Directive makes it clear that each serviceman will be instructed "in the provisions of the Geneva Convention," not that such provisions are applicable."¹¹⁵

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(2) In addition, the Army Regulation relates the Geneva Convention to handling of enemy prisoners of war. Guidance on this topic includes the statement that "it will be stressed (in Code training) that humane treatment of enemy prisoners of war is every serviceman's obligation under the Geneva Convention, that it sometimes influences enemy decisions to surrender, and that it may have some effect upon enemy handling of captured US personnel."

(3) In regard to the Geneva Convention on Prisoners of War, guidance on the Code of Conduct and subsequently on training in support of the Code, contains some specious argumentation. The explanatory notes describing Article IV of the Code address the topic of prisoner of war organization. The explanation states that if a senior-in-command organization "cannot be effected, an organization of elected representatives, as provided for in Article 79-81 Geneva Convention Relative to Treatment of Prisoners of War, or a covert organization, or both, will be formed." The indication is clear that the elected prisoner of war representative system is to be formed only if the senior-in-command organization is not formed. In the case of PW camps which contain no officers, this direction may conflict with the provisions of the Geneva Convention, which makes the representative organization mandatory, not permissive or dependent upon the formation of another organization.¹¹⁶

(4) The Code apparently presents an additional problem relative to the idea of prison camp organizations. For example, if the positions of the prisoner of war representative, demanded by the Geneva Convention, and of the senior prisoner in command are occupied by the same individual, there appear to be two instances of conflict between the Convention and the Code, if rigidly construed and applied:

First, under the Code and implementing regulations, his command responsibilities - enforcement of the Code and the duty to defeat the enemy - are paramount under all conditions at all times; yet, under the GPW, his responsibility to further the welfare of his fellow PW's is paramount. Second, if the Senior-in-Command, in compliance with the Code, proceeds under the impression of the 'extension of the battlefield' notion and the Detaining

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Power responds with repressive treatment, he would not be in compliance with his duties as PW Representative under the GPW.¹¹⁷

According to legal opinion and precedent, it follows that the President's Executive Order (i.e., the Code) is subordinate to the Treaty (i.e., the Convention) requirements where there is a conflict.

f. UCMJ Versus the Code: Army training in support of the Code of Conduct has the responsibility to advise the individual serviceman "that any conduct in violation of the Uniform Code of Military Justice is punishable in prisoner of war situations, as well as in combat and under normal peacetime conditions." The cardinal point at issue is the relationship between the Code of Conduct and the Uniform Code of Military Justice. No authoritative source contends that a violation of the Code of Conduct per se constitutes a punishable offense. Nevertheless, there is such a tortuous relationship between the Code and the UCMJ, based upon the latitude of the Code and two articles of the UCMJ, that conduct in violation of the Code could be construed a priori to be a violation of the UCMJ. Article 104, UCMJ (64 Stat. 138; 50 USC 698), Aiding the Enemy, pertains to "any person who, without proper authority, knowingly harbors, protects or gives intelligence to or communicates or corresponds with or holds any intercourse with the enemy, either directly or indirectly." Article 105, Misconduct as Prisoner, "covers all unauthorized conduct by a prisoner of war that would improve his condition while making conditions worse for his fellow prisoners."¹¹⁸ It is conceivable that a violation of the tenets of the Code of Conduct could be chargeable under one of these Articles of the UCMJ. It is imperative that the individual soldier be made aware of the distinction between the Code and the UCMJ, particularly in view of the many protestations that the Code of Conduct is not a "penal code." Responses from the trainees at Fort Jackson indicate an orientation of dubious validity.¹¹⁹

g. Family Assistance and the Code. Finally, training programs in support of the Code of Conduct are to insure that each serviceman understands "that the Government will make every possible effort to secure his release, and that his dependents and members of his family will be furnished with such information concerning his whereabouts as may be available and will be provided all the support and care to which they are entitled under the laws of the United States." The responses from the trainees at Fort Jackson demonstrate a lack of appreciation of Army programs during the period of internment of a

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serviceman.¹²⁰ In similar fashion, the interviews with personnel stationed at Fort Bragg (the 82d Airborne Division and the 5th Special Forces Group) reveal a manifest ignorance of the Army programs for prisoners of war and their families.

4. EVALUATION OF REQUIREMENTS:

a. General: Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon the Department of the Army by national and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed in light of the Code of Conduct doctrine and execution presented above. The objective of this section is to determine whether or not Army doctrine in the area of the Code of Conduct is adequate, and, equally important, whether or not the field execution of existing doctrine is satisfactory. Where either doctrine or execution or both are inadequate, remedial alternatives are presented in Appendix I, Discussion/Analysis Appendix, culminating in recommendations for new or revised Army doctrine where appropriate.

b. Communist Management Principles Requirements:

(1) REQUIREMENT #2: THE U.S. SOLDIER MUST BE THOROUGHLY CONVINCED THAT HIS SURVIVAL IS DEPENDENT ON HIS KEEPING FAITH WITH HIMSELF, HIS FELLOW PW'S AND HIS COUNTRY.

(a) Discussion.

1. The words of Articles IV and VI of the Code of Conduct address this requirement engendered from the examples of Communist treatment of prisoners of war. Article IV asserts the idea that "If I become a prisoner of war, I will keep faith with my fellow prisoners." Article VI incorporates the notion of responsibility for actions and trust in the United States. Nominally, then, the Code is deeply concerned with the idea of "keeping faith."

2. The principal of "keeping faith" is so traditional that it is rarely mentioned in sources of Army doctrine. Pertinent Field Manuals repeat the explanatory notes on Articles IV and VI of the Code supplied by the Defense Advisory Committee, or merely indicate that the Code and all it represents apply in combat or captivity.¹²¹ Elsewhere, nearly gratuitous guidance is offered: "Regardless of location, poor living conditions, and brutalities the enemy authorities might impose, if the individual makes up his mind to endure it, he will succeed."¹²²

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3. AR 350-30 contributes to the guidance on "keeping faith," particularly in regard to the prisoner himself. According to the Regulation, "the basic policy governing all Code of Conduct instruction and instructional material will be to develop in every member of the Armed Forces a positive attitude that he can and must oppose and defeat absolutely, mentally, and physically, any enemy of his country."¹²³ The cultivation of this attitude would contribute to the facility of keeping faith with oneself.

4. Doctrinal guidance on keeping faith with fellow prisoners is usually presented in the manner of an admonition that "informing or any other action to the detriment of a fellow prisoner is despicable and is expressly forbidden." One source elaborates: "It is expressly forbidden to inform on, or take any other action that might be harmful to your fellow prisoners. As a prisoner of war you must avoid helping the enemy identify any of your comrades who may have knowledge of particular value to the enemy, and as a result may be subjected to coercive interrogation."¹²⁴

5. An additional approach to keeping faith with fellow prisoners of war is evident in the emphasis placed upon "survival ability through leadership, group and individual loyalties, (and) special systems of organization."¹²⁵ Elsewhere it is pointed out that "unless prisoners within a camp properly organize themselves, they cannot hope to maintain discipline, health, and morale at a level conducive to survival, resisting enemy indoctrination, and escape."¹²⁶ Establishing and maintaining a competent prisoner of war organization is a manner of keeping faith with fellow prisoners.

6. Army doctrine on the Code of Conduct is far from explicit in providing for "keeping faith with . . . his (the PW's) country." Training in support of the Code is to be oriented toward "education in our Nation's goals and in the advantages of its democratic institutions to develop resistance to enemy political and economic indoctrination." In addition, individuals are to develop "a knowledge and appreciation of national . . . history and traditions."¹²⁷

7. In a similar fashion, training will insure that each serviceman understands what benefits and services will be rendered to himself and his family during his internment.¹²⁸ A proper appreciation of these Army services should contribute to an inclination to keep faith with ones country.

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8. The principal drawback to the implementation of the doctrine which addresses this requirement is in its nebulous character. There can be no assurance that a training program has instilled an attitude conducive to "keeping faith," nor is there a competent gauge to assess the extent a man will keep faith. In great measure, the notion of keeping faith is dependent upon values of self, others, and country developed long before an exposure to Army training programs.

9. In view of these restrictive factors, the ability of doctrine and implementation to fulfill the requirement was indirectly addressed. When a sizable segment of a group of trainees responded negatively to a question concerning their abilities to survive in a Vietnamese prison compound (52 percent of the Fort Jackson group doubted their ability to survive in an internment situation in South Vietnam; 37 percent responded, correspondingly, in relation to a situation in North Vietnam), the inference is that a great many individuals in this group will have some difficulty "keeping faith" with themselves, particularly when they are under the impression that they cannot survive. The general indication from the personnel of the 82d Airborne Division and the 5th Special Forces Group was a confidence in their abilities to survive in a prison camp or compound environment. There was some notable variation, however, manifested in the responses of the enlisted men of the 82d Airborne Division.

10. There are indications, too, that many individuals may have problems keeping faith with their country. This is quite likely if the most definitive Army effort to instill this virtue consists of "education in our nation's goals . . . the advantages of its democratic institutions . . ." and the demonstration of what services and benefits the Army offers families of prisoners of war and individuals missing in action.

11. The first effort (i.e., "education" in national goals), if taken literally, would be difficult to attain. Competent instruction in national goals would demand a highly qualified expert who would be required to discuss a highly complex issue in simplistic terms that his audience could easily understand and retain.

12. In addition, evidence indicates that the individual soldier may not be receiving the prescribed instruction upon the benefits and services which the Army would provide in the event of his capture. Fully three-fourths of the Fort Jackson group

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were unable to identify any actions the Army would undertake in their behalf. Less than 10 percent of the group was able to suggest that the Army would do anything more than notify the next of kin. The responses from the 82d Airborne Division and 5th Special Forces Group personnel demonstrated a similar lack of appreciation of the actions made under the aegis of the Army. The failure to acknowledge the Army's actions could conceivably reduce ones inclination to keep faith with his country.

13. From all indications, then, it would appear that the written doctrine provides sufficient dimension to address the requirement. In practice, however, the training methods appear too vague to fully impart the desired rationale for "keeping faith." Even in the tangible aspect of advertising the Army programs for prisoners and next of kin, there are serious deficiencies, particularly the failure to point out that the Army does anything at all.

(b) Finding:

US Army doctrine meets Communist management principles Requirement #2; however, field execution is in need of improvement.

(2) REQUIREMENT #3: THE US SOLDIER MUST BE GIVEN EXPLICIT GUIDANCE WHICH HE CAN REALISTICALLY FOLLOW WHEN PLACED IN A PHYSICALLY AND/OR MENTALLY STRESSFUL SITUATION SUCH AS CAPTIVITY.

(a) Discussion:

1. The Code of Conduct was promulgated in 1955 expressly to provide such explicit and realistic guidance for prisoners of war. The Code, the explanatory notes, and the Defense Advisory Committee's report were intended to offer precise and workable guidance. With the proposed interpretation, the guidance was eminently practical. However, the guidance was sufficiently imprecise to allow for interpretative differentiation.

2. Army doctrine, as revealed in several Field Manuals is broadly oriented. Generally, documentation in this regard either reiterates the Code and explanatory notes or merely provides a synopsis of the ideas contained therein. There is a decided absence of specific doctrine in these Field Manuals. The notable exception is FM 21-77A, Joint Worldwide Evasion and Escape Manual, which purports to offer more explicit guidance with some degree of achievement. That particular document is classified which restricts propagation of

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the material. Army Regulation 350-30, "Education and Training: Code of Conduct," a basic document for promotion of Army doctrine, is far from explicit. As a consequence, training cannot provide sufficiently relevant guidance.

3. All the sources of Army doctrine do provide sufficiently realistic guidance, contingent upon the emphasis placed upon various tenets of the Code. The most controversial notion, what is the extent of permissible communication with the enemy, may be resolved by a more thorough explanation of Article V of the Code of Conduct. Restriction to name, rank, service number, and date of birth is an unrealistic approach. Emphasis of the notion, "I will evade answering further questions to the utmost of my ability," would certainly allow for more realistic latitude in communication between captor and prisoner of war. Former prisoners of war have indicated that the ideal of the "Big Four and nothing more" is an unattainable standard. The experience of captivity demands something more in communication. Existent doctrine is sufficiently oriented to address this requirement in terms of realism. The need for reevaluation is apparent in regard to the general nature of the doctrine. More explicit doctrine is requisite. The present implementation of the doctrine is neither explicit nor realistic.

(b) Finding:

US Army doctrine and supporting field execution do not meet Communist management principles Requirement #3.

(3) REQUIREMENT #8: THE US SOLDIER MUST FULLY UNDERSTAND HOW HIS SURVIVAL AND THAT OF OTHERS ARE DEPENDENT ON DISCIPLINE AND ADHERENCE TO THE CHAIN OF COMMAND REGARDLESS OF THE RANKS INVOLVED AND COMMUNIST SEGREGATION EFFORTS.

(a) Discussion:

1. The sources of Army doctrine in regard to the prisoner of war complexity make a concerted effort to emphasize the notion of the prisoner of war organization. The idea that prisoners of war are impelled to organize is commonplace:

Strong leadership is essential to discipline. Without discipline, camp organization, resistance, and even survival may be impossible. Personal hygiene, camp sanitation,

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and care of the sick and wounded are imperative. Officers and non-commissioned officers of the United States will carry out their responsibilities and exercise their authority subsequent to capture.¹²⁹

2. The majority of doctrinal sources supply little additional guidance on the questions of "discipline and respect for the senior USPW" and of organization. The principal exception is FM 21-77A which contributes relatively detailed guidance on the nature of prisoner of war organizations.¹³⁰ The very obvious direction of doctrine contained in both FM 21-77A and FM 21-76 emphasizes large-scale, extensive organization, feasible in sizable prisoner of war compounds. There is a decided lack of attention to typical prisoner of war experiences of the Vietnam conflict. Thus, diagrams in field manuals include "sports, entertainment, education, and welfare subcommittees," as well as more realistic, but hardly ubiquitous, elements in a prison compound organization. The practical result is a distorted and unworkable description of current prisoner of war phenomena.¹³¹

3. In addition, the tenor of the doctrinal material seems to underscore the notion that the survival of the U.S. prisoner of war is "dependent on discipline and respect for the senior USPW" and not "how" this is the case. While nearly every doctrinal source publicizes the necessity for the maintenance of discipline and respect for seniors in the compound environment, there is definite lack of realistic enlightenment in respect to how these qualities will contribute to survival and the ability to resist.¹³²

4. The limited nature of the doctrine supplied to address this requirement precludes the possibility of competent training or instruction concerning this requirement. The substance and orientation of the doctrine must, of necessity, obviate the effects of training. A restatement of doctrine would demand a reorientation of training.

(b) Finding:

US Army doctrine and supporting field execution do not meet Communist management principles Requirement #8.

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(4) REQUIREMENT #10: THE US SOLDIER MUST BE FULLY AWARE OF WHAT HE IS PERMITTED TO SAY AND WRITE IN CAPTIVITY AND WHAT VARIANCES ARE ACCEPTED UNDER DIFFERENT LEVELS OF DURESS.

(a) Discussion:

1. Doctrinal guidance available in several sources indicates significant concern in regard to this requirement.

When questioned, a prisoner of war is required by the Geneva Convention and permitted by this Code to disclose his name, rank, service number, and date of birth only.¹³³ A prisoner of war may also communicate with the enemy regarding his individual health or welfare as a prisoner of war and, when appropriate, on routine matters of camp administration. Oral or written confessions true or false, questionnaires, personal history statements, propaganda recordings and broadcasts, appeals to other prisoners of war, signatures to peace or surrender appeals, self-criticisms, or any other oral or written communication on behalf of the enemy or critical or harmful to the United States, its allies, the Armed Forces, or other prisoners is forbidden.¹³⁴

This direction, offered by the explanatory notes published with the Code of Conduct and reiterated in other doctrinal sources, is most assuredly negatively oriented - outlining in some detail what is forbidden to be communicated. Material contained in FM 21-76 is overwhelmingly restrictive in tone, emphasizing what not to say.¹³⁵

2. Guidance of a positive nature is limited, since the most common reference to prisoner-captor communication is the restriction to name, rank, service number, and date of birth (a restriction deemed unworkable by over 70 percent of the former

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prisoners of war questioned). The principal positive guidance offered by doctrine on the Code of Conduct in regard to communication with a captor concerns the Red Cross "capture card" and letter writing.

3. In addition to its negative orientation, the litany of oral and written communication, expressed in the Code of Conduct and in numerous other sources, is sufficiently evasive and general as to provide little competent guidance. The final prohibition ("... any other oral or written communication on behalf of the enemy or critical or harmful to the United States, its allies, the armed forces, or other prisoners (is) forbidden") may be questioned on two counts. The prohibition is vague to the point of exclusion of its application. In addition, it presupposes the ability on the part of the prisoner to predict the effect his communication will have upon the United States, its allies, the armed forces, or other prisoners. To hold a man capable of such judgment, given the stresses of captivity, is little more than a gratuitous assertion at best.

4. If the strictures upon prisoner-captor communication are vague generalities, the nature of the responsibility to refrain from communication under duress is even more nebulous. The Code of Conduct maintains:

It is a violation of the Geneva Convention to place a prisoner of war under physical or mental torture or any other form of coercion to secure from him information of any kind. If, however, a prisoner is subjected to such treatment, will endeavor to avoid by every means the disclosure of any information, or the making of any statement or the performance of any action harmful to the interests of the United States or its allies which will provide aid or comfort to the enemy.¹³⁶

This guidance is too general to be of significant value for the potential prisoner of war. There is no attempt made to describe the applicability of the prohibitions against communication under duress.

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Neither is it manifest that duress and coercion may provide legal defenses for acts deemed in violation of Article 104 of the Uniform Code of Military Justice, Aiding the Enemy. Duress and coercion are legal defenses provided it can be shown that the accused acted under a well-grounded apprehension of immediate and impending death, or of immediate serious bodily harm.¹³⁷ It is, of course, the prerogative of the court or jury to decide if the facts show the prisoner's actions to be voluntary and knowing or the captor's acts to involve duress and coercion. Yet, the published Army doctrine most readily available provides little competent guidance in regard to the relationship between duress and communication. Neither does it make a distinction between permitted action while undergoing interrogation and permitted social conversation.

5. Doctrine related to the requirement to delineate the nature and limits of prisoner-captor communication must be expanded and made viable. It is not sufficient to casually state, "A major concern is for prisoners to develop a strategy that will enable them to communicate about those things needed to survive without communicating about those things that will reveal military information or put them at a disadvantage in whatever kind of exploitation the captor may attempt. . . ." ¹³⁸ Much more specific guidance is requisite.

(b) Finding:

US Army doctrine and supporting field execution do not meet Communist management principles requirement #10.

(5) REQUIREMENT #12: THE U.S. SOLDIER MUST BE FULLY AWARE THAT THE GOVERNMENT WILL MAKE EVERY POSSIBLE EFFORT ON BEHALF OF HIMSELF, HIS FELLOW PW'S AND HIS FAMILY DURING AND AFTER HIS INTERNMENT.

(a) Discussion:

1. The rationale for this requirement is nearly self-evident. The psychological and physiological stresses of captivity are excessively onerous without the added anxiety promoted by a prisoner's concern over the government's several actions on behalf of himself and his family. It was recognized that such actions must be brought to the attention of the serviceman during his training in regard to the Code of Conduct. According to AR 350-30, training in support of the Code is to assure the individual that:

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As a prisoner of war, every fighting man continues to be of special concern to the United States; that the rights to which he is entitled, his promotional status, pay and allowances, and dependent care, continue during his time of incarceration.

Every available means will be employed to establish contact with, and to gain release of prisoners of war.

During his incarceration every available means will be employed to insure that while in captivity, prisoners of war are afforded protection and rights under the provisions of the Geneva Prisoner of War Convention (GPW).¹³⁹

2. Doctrinal material reiterates the themes that "you will not be forgotten" and that "every available means will be employed to establish contact with you, to support you, and to gain your release." There is the further provision which adds, "The laws of the United States provide for the support and care of dependents during periods in which you serve in PW status or are detained in a foreign country against your will."¹⁴⁰

3. While the written doctrine appears sufficient to address this requirement, there are indications that the implementation of the doctrine is something less than exemplary. Interviews with the trainees at Fort Jackson revealed that nearly three-fourths of the sample had no idea of the government's services for themselves or for their families in the event of their capture. Only 12 percent indicated that they felt that their families would be notified of their prisoner of war status. Just 10 percent responded that the government would do more than mere notification of families. Evidence from the responses of the personnel of the 82d Airborne Division and the 5th Special Forces Group corroborated the notion that little effort is made to propagate the programs sponsored by the Army for prisoners and their families. This evidence serves to demonstrate that the implementation of the doctrine in respect to this requirement is not satisfactory and is in need of major improvement.

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(b) Finding:

US Army doctrine meets Communist management principles requirement #12; however, supporting field execution is in need of improvement.

(6) REQUIREMENT #13: THE U.S. SOLDIER MUST HAVE A BASIC GRASP OF THE CONFLICTING IDEOLOGIES.

(a) Discussion:

1. Training in support of the Code of Conduct is required to provide "education in our Nation's goals and in the advantages of its democratic institutions to develop resistance to enemy political and economic indoctrination." There is some question that this guidance is sufficient to prepare a potential prisoner of war to resist the indoctrination efforts of an adroit and highly trained enemy expert.

2. FM 21-76 maintains that "confidence in yourself, your family, your unit, your country, and your religion serves as a very effective defense against indoctrination.¹⁴¹ This ploy is, however, an oversimplification of a complex issue. Confidence is critical, but knowledge is requisite. To resist indoctrination, a prisoner must know both himself and the enemy, as well as their respective countries and ideologies.

3. It is not sufficient to present political, social, and economic platitudes as vehicles for instruction in resistance to indoctrination. Description of the "Nation's goals and . . . advantages of its democratic institutions" must be judicious to provide a viable foundation for resistance. It is deceptive to characterize the "American way of life" in overly patriotic terms which easily fall prey to the skilled indoctrinator. Such an example follows:

The American way of life is many things and has been described in many ways. They all add up to freedom based on respect for human dignity and the inherent rights of the individual.

Within the framework of liberty under law, Americans are free to pursue a private life of their

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own making, to make choices. We can bring up our children as we see fit, choose our own religion and philosophy, vote freely for those who represent us in government, choose our jobs, and move from one job to another. We have an equal opportunity to develop our talents and to get as far ahead in life as our abilities permit.

Our moral values, which influence our social values, are rooted in the Judeo-Christian tradition, which fosters the brotherhood of man under the fatherhood of God. Respecting the religious convictions of everyone, we exempt the conscientious objector from the violence of war while requiring him to serve if needed in a nonviolent capacity.¹⁴²

It is detrimental to the serviceman to boast the virtues of America to exclusion of the realities, or even the acknowledged problems of American life which an indoctrinator would be quick to demonstrate.

4. There is apparently no program to implement doctrine related to this requirement. Field manuals present rather inane statements concerning resistance to indoctrination, which are not underscored in training programs. It is left to the individual to determine that:

The prisoner cannot hope to stop the indoctrination by any direct action of his own; he can, however, contribute directly to its failure by refusing to be drawn into debates with the indoctrinator, and by refusing to admit that he has participated in operations that are in any way spurious or suspect. He should also reiterate his unswerving faith in his own cause. Such avowals have a two fold impact: they discourage any impression that

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he is uncertain of his cause or that his beliefs can be modified. They also tend to reinforce the prisoner's personal resistance so that he can readily meet his obligation--which is to remain stable and continue the fight.

Above all, the prisoner must understand that the indoctrinator's goals are alien to his own, regardless of the attempt to make them sound similar. Communist ideology and the American way of life are completely dissimilar and, in many ways, incompatible.¹⁴³

5. Doctrine and implementation in such political and potentially controversial subjects must be accurate and valid.

(b) Finding:

US Army doctrine and supporting field execution do not meet Communist management principles requirement #13.

b. National Policy/Department of Defense Policy Requirements:

(1) REQUIREMENT #1 - EVERY SOLDIER MUST HAVE AN INGRAINED POSITIVE ATTITUDE THAT HE CAN AND MUST SUCCESSFULLY RESIST ANY ENEMY OF HIS COUNTRY.

(a) Discussion:

1. Doctrinal sources are replete with the notion that a prisoner of war has the obligation to resist enemy interrogation, indoctrination, and exploitation.

It shall be the military purpose of the prisoner to continue the fight and to recognize that only the terms of combat have been changed. The battle must be fought with all the courage and devotion that the man can muster, and his determination and obligation to win the fight must not be diluted.¹⁴⁴

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2. Doctrinal rhetoric indicates that servicemen will be impressed with the notion that they will resist. "If you are captured, it is your duty as a soldier to continue resistance by all means at your disposal."¹⁴⁵ The inculcation or cultivation of a "positive attitude" is not so readily recognized. The mere acknowledgment of an obligation to resist does not require a premise of a positive attitude.

3. The principal difficulty in fostering the demanded "positive attitude" lies in the negative orientation of the Code of Conduct. The notions and phrases most easily relatable for the individual soldier are negative in direction. "I will never surrender . . . ; I will accept neither parole nor special favors . . . ; I will give no information nor take part in any action harmful to my comrades . . . ; I am bound to give only name, rank, service number, and date of birth . . . ; I will make no oral or written statements . . . ; I will never forget that I am an American fighting man" The explicitly negative nature of these strictures belies the statement that a positive attitude will be encouraged.

4. There are indications of an inability to promote any confident attitude, positive or negative, in regard to the ability to resist successfully. Interviews with the trainees at Fort Jackson demonstrated that a sizable segment seriously questioned their ability to survive in a prison compound environment. Successful resistance presupposes existence. If there is doubt in regard to survival, there must be less than a "positive attitude" in regard to successful resistance. The establishment and maintenance of a competent resistance program, in which Code of Conduct training would be integral but not dominant, would serve to place in better perspective the need for a "positive attitude."

(b) Finding:

US Army doctrine and supporting field execution are not adequate to meet National Policy/Department of Defense Policy Requirement #1.

(2) REQUIREMENT #2: THE U.S. SOLDIER MUST BE INSTRUCTED THAT SHOULD HE BE SUBJECTED TO COERCION HE WILL AVOID ANY ACT OR STATEMENT HARMFUL TO THE US OR DETRIMENTAL TO HIS FELLOW PW'S OR WHICH WILL PROVIDE AID OR COMFORT TO THE ENEMY.

(a) Discussion: See the discussion of Communist management principles requirement #10 above.

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(b) Findings: See the findings reached for the Communist management principles requirement #10 above.

(3) REQUIREMENT #3 - THE U.S. SOLDIER MUST BE INSTRUCTED THAT PW COMPOUNDS ARE IN MANY WAYS EXTENSIONS OF THE BATTLEFIELD, AND, AS SUCH, THE INHERENT RESPONSIBILITIES OF RANK AND LEADERSHIP, MILITARY BEARING, ORDER AND DISCIPLINE, TEAMWORK AND DEVOTION TO FELLOW SERVICEMEN, AND THE DUTY TO DEFEAT ANY ENEMY OF THE UNITED STATES REMAIN.

(a) Discussion:

1. The Army Regulation concerned with education and training of the Code of Conduct provides specifically that "all training programs will impress upon every soldier" those items mentioned in this requirement. There is, nonetheless, a single significant variation. The regulation reads, ". . . prisoner of war compounds are an extension of the battlefield . . .," not that such compounds are "in many ways" an extension of the battlefield: The Army Regulation apparently sanctions behavior which contravenes the spirit of the Geneva Convention on Prisoners of War and the letter of DOD Directive 1300.7. There is a distinction between the conditions of captivity and of combat which the Army doctrine, as revealed by AR 350-30, does not recognize.

2. For a discussion of the elements of organization of a prisoner of war compound (" . . . the inherent responsibilities of rank and leadership, military bearing, order and discipline, teamwork and devotion to fellow servicemen . . ."), see that discussion elicited by Communist management principles requirement #8.

3. It is necessary, then to provide the distinction that the prisoner of war compound is an extension of the battlefield "in many ways," but not exclusively. There must be additional and specific guidance beyond the elusive notion that "if captured, continue to resist in every way possible . . ." ¹⁴⁶ Such tenuous guidance serves only to confuse the nature of resistance.

(b) Finding:

US Army doctrine and supporting field execution are not adequate to meet National Policy/Department of Defense Policy Requirement #3. (See also the findings reached in the evaluation of Communist management principles requirement #8 above.)

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(3) REQUIREMENT #8: CODE OF CONDUCT TRAINING PROGRAMS AND TRAINING MATERIALS WILL BE CONSISTENT THROUGHOUT THE DEPARTMENT OF DEFENSE.

(a) Discussion:

1. This requirement was derived on recommendation of the Defense Advisory Committee on Prisoners of War that "the military services initiate a coordinated training program . . ." The Committee further stipulated that "a code of conduct must apply uniformly to all Services, and training must be uniform among the Services to the greatest degree practicable."¹⁴⁷

2. Although there has been no conscious effort to coordinate training programs among the military services, there are several pertinent documented sources common to all services. DOD Directive 1300.7 is fundamental, and is reproduced or liberally quoted in all services' implementing instructions on the Code of Conduct.¹⁴⁸ FM 21-77A, Joint Worldwide Evasion and Escape Manual (1 August 1967) provides a common document for all services. (It is the Air Force's AFM 200-3 and the Navy's NWP 43(a)). Some supplementary information is interservice. DA PAM 350-522, The US Fighting Man's Code contains the same material, with varying nomenclature, for all services.¹⁴⁹

3. The single-line declaration from the Defense Department can be considered a sufficient source for this requirement. There is an apparent lack of response on the part of the services to establish common training programs and anything more than cursory attempt to standardize training materials. Interpretations, emphases, and training programs vary from service to service. Even the organization of the subject of resistance is approached differently by the Services. The Army uses education and training in the Code of Conduct as a forum for resistance. The Navy and Air Force use resistance as the major orientation with the Code as an integral, but not dominant, portion of resistance training.

4. In retrospect, then, no Army doctrine apparently exists to conform to the requirement that training materials and training programs be coordinated among the services. Concomitantly, there is no implementation.

(b) Finding:

US Army doctrine and supporting field execution are not adequate to meet National Policy/Department of Defense Policy Requirement #4.

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d. Summary:

(1) Satisfactory Army Policy: The following represent those requirements which are satisfied by US Army doctrine and field execution: None.

(2) Unsatisfactory Army Policy: The following represent those requirements not satisfied by US Army doctrine and/or field execution. Recommendations for revised/new doctrine or additional emphasis in weak areas are found in Appendix H, this study.

(a) THE U.S. SOLDIER MUST BE THOROUGHLY CONVINCED THAT HIS SURVIVAL IS DEPENDENT ON HIS KEEPING FAITH WITH HIMSELF, HIS FELLOW PW'S AND HIS COUNTRY.

(b) THE U.S. SOLDIER MUST BE GIVEN EXPLICIT GUIDANCE WHICH HE CAN REALISTICALLY FOLLOW WHEN PLACED IN THE PHYSICALLY AND/OR MENTALLY STRESSFUL INTERNMENT SITUATION.

(c) THE U.S. SOLDIER MUST FULLY UNDERSTAND HOW HIS SURVIVAL AND THAT OF OTHERS IS DEPENDENT ON DISCIPLINE AND ADHERENCE TO A CHAIN OF COMMAND REGARDLESS OF THE RANKS INVOLVED AND COMMUNISTS SEGREGATION EFFORTS.

(d) THE U.S. SOLDIER MUST BE FULLY AWARE OF WHAT HE IS PERMITTED TO SAY AND WRITE IN CAPTIVITY AND WHAT VARIANCES ARE ACCEPTED UNDER DIFFERENT LEVELS OF DURESS.

(e) THE U.S. SOLDIER MUST BE FULLY AWARE THAT THE GOVERNMENT WILL MAKE EVERY POSSIBLE EFFORT ON BEHALF OF HIMSELF, HIS FELLOW PW'S AND HIS FAMILY DURING AND AFTER HIS INTERNMENT.

(f) THE U.S. SOLDIER MUST HAVE A BASIC GRASP OF THE CONFLICTING IDEOLOGIES.

(g) EVERY SOLDIER MUST HAVE AN INGRAINED POSITIVE ATTITUDE THAT HE CAN AND MUST SUCCESSFULLY RESIST ANY ENEMY OF HIS COUNTRY.

(h) THE U.S. SOLDIER MUST BE INSTRUCTED THAT SHOULD HE BE SUBJECTED TO COERCION HE WILL AVOID ANY ACT OR STATEMENT HARMFUL TO THE US OR DETRIMENTAL TO HIS FELLOW PW'S OR WHICH WILL PROVIDE AID OR COMFORT TO THE ENEMY.

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(i) THE U.S. SOLDIER MUST BE INSTRUCTED THAT PW COMPOUNDS ARE IN MANY WAYS EXTENSIONS OF THE BATTLEFIELD AND, AS SUCH, THE INHERENT RESPONSIBILITIES OF RANK AND LEADERSHIP, MILITARY BEARING, ORDER AND DISCIPLINE, TEAMWORK AND DEVOTION TO FELLOW SERVICEMEN, AND THE DUTY TO DEFEAT ANY ENEMY OF THE UNITED STATES REMAIN.

(j) CODE OF CONDUCT TRAINING PROGRAMS AND TRAINING MATERIALS WILL BE CONSISTENT THROUGHOUT THE DEPARTMENT OF DEFENSE.

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SECTION II - ~~(C NF)~~ SERE TRAINING IN THE UNITED STATES (U)

1. (U) PURPOSE. The purpose of this chapter is to evaluate Army training in the context of how effectively it prepares the soldier to avoid capture, and in the event of capture, to resist Communist prisoner of war management techniques and survive during that captivity.

2. (U) INTRODUCTION. Chapter 2 describes the threat posed by Communist management techniques to the US soldier should he become a prisoner of war. Section I of this chapter provides a detailed look at the Department of Defense's immediate answer to this "threat", i.e., the Code of Conduct. However, in addition to the Code, the Army must formulate doctrine which will enable its personnel to avoid capture, or, if captured, to survive in a prison environment filled with physiological and psychological challenges.

a. SERE. To identify all training subjects related to captured/detained personnel, the term "SERE" (Survival, Evasion, Resistance and Escape) is used throughout this discussion and is currently used by the other services. Further, although the terms "Survival" and "Evasion" can relate to avoiding capture in the first place, they are examined in this section only in terms of survival in an internment environment or, upon evasion, escape, and survival while in the process of avoiding recapture and returning to US control.

b. Methodology. In order to evaluate the effectiveness of Army doctrine vis-a-vis the requirements generated by the Communist Prisoner of War Management Principles (Chapter 2) and national and Department of Defense (DOD) policy (Chapter 3), the following subject areas were reviewed:

- (1) Existing Army doctrine for SERE
- (2) Other services SERE programs
- (3) Doctrinal and training needs of the individual soldier

(4) The effectiveness with which current doctrine has answered the needs of individuals who have been interned by Communists. This review provided an outline of what the US Army and the other services include in their training programs and the manner in which these subjects are presented. The prime consideration here was the adequacy of coverage, which is related to, but not strictly a function of, the amount of time

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allocated to specific subjects. Sources of material considered relevant to the subject areas outlined above included:

subjects (a) Army subject schedules (ASubjScd) related to SERE

(b) Field manuals (FM's) dealing with SERE subjects

(c) Subject schedules relating to other SERE training

(d) Data gathered by interview and questionnaire which drew on the experience and knowledge of individuals, both within and outside the Services. Of particular interest are the interviews and questionnaires of the following:

1. Individuals who have returned from a PW status;
2. Individuals who have recently completed Basic Combat Training (BCT) and Advanced Individual Training (AIT);
3. Individuals in an active Army division (82d Airborne Division);
4. Individuals serving in a "special" unit (5th Special Forces Group);
5. Individuals of activities proponent to particular areas of interest.

(e) All such subjects have a bearing on the individual's survival in an internment environment.

c. Scope:

(1) The subject areas reviewed in this section are:

(a) SERE subjects

1. Code of Conduct. (See Section I, this Chapter.)
2. Survival, Evasion and Escape.
3. Geneva and Hague Conventions.
4. Resistance training.

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(b) SERE related subjects

1. Field Hygiene and Sanitation.
2. Physical training.
3. First Aid and Primitive Medicine.

(2) The SERE subjects:

(a) The Code of Conduct, considered in detail in the previous section, was designed to strengthen the soldier's resolve to avoid capture, and, if captured, to assist in resisting Communist indoctrination and interrogation techniques.

(b) Survival, Evasion, and Escape training is designed to provide the servicemen with the skills necessary for evasion, escape, and survival in a hostile environment. Training in these areas of instruction are customarily integrated both in the classroom and in the field.

(c) Resistance training is directed to preparing the soldier to withstand Communist tactics of interrogation and indoctrination. Resistance training, currently conducted in the other services but not in the Army, is primarily oriented to field situations that provide a realistic representation of the techniques used by the Communists.

(d) Instruction in the Geneva and Hague Conventions of 1949 and 1907, respectively is oriented to providing the soldier with an understanding of the legal status of the prisoner and his rights and obligations during internment.

(3) The SERE-Related Subjects:

(a) Field Hygiene and Sanitation is designed to provide the US soldier with the cause and effect of keeping his body and living/working area in a state of proper cleanliness. The subject is considered in this area due to its obvious application to the problem of the unhealthy and unsanitary environment of captivity.

(b) Physical Training as it is conducted in the Army is designed to bring the newly inducted soldier into a state of good physical condition and maintain that condition throughout his active duty service.

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Good physical condition prior to capture and the maintenance of that state while in captivity has obvious implications on doctrine for captured/detained US military personnel.

(c) First Aid and Primitive Medicine is included under SERE-related training for many of the same reasons that apply to Field Hygiene and Physical Training. Current training is designed to instruct the soldier on emergency care of traumatic injuries common to the combat environment. Obviously, many of the injuries described and techniques for their treatment are applicable to the internment state. Primitive medicine, or the treatment of injuries/diseases without the assistance of professional medical personnel or supplies is not currently a subject in the Army training program but as described later in this section, has definite implications for captured/detained US military personnel doctrine.

d. Limitations:

The approach outlined above was implemented as thoroughly as possible; however, there were several limiting factors, including the following:

(1) Visits to all Army training centers were impractical. Information as to the effectiveness and depth of understanding of the internment-oriented training was obtained through interviews of soldiers at Fort Jackson, South Carolina, who had recently completed BCT and AIT.

(2) Training requirements limited the number of active unit personnel available for survey on SERE subject training. Study time and resources further limited the coverage.

(3) The present number of repatriates from the conflict in Southeast Asia is limited; therefore, information derived as to the effectiveness of the SERE training they received is equally limited.

3. (U) DISCUSSION OF SERE SUBJECTS:

a. Survival, Evasion and Escape:

(1) The prime source for doctrine on SE&E is FM 21-76, Survival, Evasion and Escape, dated March 1969. It is the basis for the survival, evasion and escape training which is offered in integrated blocks within the Army. These blocks vary according to the needs of the recipient groups within the Army.

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(2) Among the requirements generated by the Communist prisoner of war management principles and listed at the conclusion of Chapter 2, three have impact upon the doctrine applying to the individual soldier in the area of survival, evasion and escape:

(a) "THE US SOLDIER SHOULD BE WELL-VERSED IN ESCAPE TECHNIQUES AND HOW TO RECOGNIZE ESCAPE OPPORTUNITIES."

(b) "THE US SOLDIER MUST BE TAUGHT EFFECTIVE MEASURES FOR EVADING CAPTURE."

(c) "THE US SOLDIER MUST BE TAUGHT THAT HIS SURVIVAL IS DEPENDENT ON HIS EATING WHATEVER IS PROVIDED HIM BY HIS CAPTOR, REGARDLESS OF HOW UNPALATABLE THE FOOD MAY BE."

(3) The following requirement by national and Department of Defense policy is also germane to the area of survival, evasion and escape:

"THE US SOLDIER MUST BE TAUGHT HOW TO AVOID CAPTURE, EVADE DETECTION AND SURVIVE WHEN OPERATING IN AN ENEMY TERRITORY AND, IF CAPTURED, HOW TO CONCENTRATE ALL HIS RESOURCES TOWARD ESCAPE BY HIMSELF AND OTHERS."

(4) Current Policy:

(a) Basic Combat Training:

1. The Army subject schedule is the basic document identifying the nature of the training and the manner in which it must be administered. ASubjScd 21-12 provides the lesson objective for BCT as follows: "To familiarize the individual with the procedures and techniques of survival, evasion, and escape."

2. Well over 50% of the instruction to be offered (as outlined in ASubjScd 21-12) is directly related to evasion and escape. Survival absorbs approximately 45% of the instruction with either resistance or the in-camp situation constituting the remaining 5%. The time allocation indicates the Army considers it of paramount importance that the soldier be aware that evasion, and, if captured, early escape are the most important means he has in pursuing his mission. However, although only 5% is devoted to it, it is also important that the soldier be prepared to carry on the struggle if escape is impossible.

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(b) Advanced Individual Training:

1. AIT devotes eight(8) hours to survival, evasion and escape training. The first two hours of instruction are suited to classroom presentation and have the stated objective: "To train the individual soldier in the procedures and techniques of survival, evasion, and escape." It deals primarily with citing specific techniques for evading, escaping, and "living off the land" (survival).

2. In the subsequent six-hour block, a field exercise is conducted. The objective of this exercise is to provide the soldier with experience in a survival, evasion, and escape exercise. The instructor in this exercise uses FM 21-76 as a reference.

(c) Officer Basic and Advanced Training. Survival, evasion, and escape training is provided for all officers except in the Artillery Basic Course and the Medical Service Advanced Course. The amount and nature of the training in the schools varies considerably among the branches.¹ In addition, the manner in which the training is administered is directed in part by the commandant of the specific school. Thus, the hours and the manner in which the training is administered will vary over a given period. (See Data Appendix G.)

(d) Field Manuals: FM 21-76 and FM 21-77A (S) are basic reference texts and establish survival, evasion, and escape doctrine.

1. FM 21-76:

a. FM 21-76, Survival, Evasion, and Escape, dated March 1969 is primarily devoted to survival. Subjects include navigation, hazards, obtaining food and water, fire making and cooking, and survival in extreme climates. A smaller portion of FM 21-76 deals with escape techniques. These techniques are exclusively oriented to the traditional prison camp situation, i.e., the situation in which a large number of prisoners are contained in a permanent compound and administered to by a staff of military personnel. This type of environment exemplifies the traditional camp typically associated with the USPW experience in World War II. Doctrine for the establishment of rather complex prisoner organizations is provided but only for this "compound-type" camp. There is no advice as to means of organization directly provided for something other than the large camp situation.

b. Three appendices are contained in FM 21-76. One is concerned with wild plant food; the other with poisonous snakes and a third is a reference appendix. These appendices comprise 25%

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of the manual. Although directly related to the survival subject, unless the evader or escapee had the manual in hand, it would be difficult to identify the multiple items presented. Reduction or elimination of such data might provide the space in which revised or expanded E & E doctrine based on current experiences in Southeast Asia could be incorporated without making the manual too unwieldy.

c. This manual is overwhelmingly oriented toward the conventional situation. Camps and their management are viewed in the context of large, permanent compounds. There is limited reference to application of situations to a low intensity conflict environment such as that in Southeast Asia. The Communist management principles outlined in Chapter 2 indicate the inadequacies of any training that does not take present Communist management techniques into careful consideration. The PW experience is at best predictable only when the captor and the environment are carefully considered. Therefore, the training must be as topical, and area oriented, as the US Army can make it.

2. Field Manual 21-77A (S):

a. FM 21-77A, Joint Worldwide Evasion and Escape Manual (S), is a joint manual devoted to the subjects of evasion and escape. It is the source of joint doctrine in this area.

b. FM 21-77A (S) provides a detailed consideration of evasion techniques. There is also a discussion of the problems involved in establishing contact with resistance groups.

c. In a section dedicated to PW camp procedures, much emphasis is placed on the importance of organization and administration. It contains substantive doctrine on how to establish a covert organizational unit but as in FM 21-76, is largely oriented to the "typical" large compound camp.

d. A consideration of the Vietnam environment is provided but the data are relevant only to the 1961-1964 period. The section concerning the Viet Cong treatment of prisoners is superficial, at best.

e. Again, the section of the document that is devoted to methods of escape is almost exclusively limited to the typical prisoner compound situation that prevailed during World War II.

f. FM 21-77A (S) makes a contribution in the area of survival, evasion, and escape training; however, the above comments

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indicate that the doctrine provided in this manual like FM 21-76 is outdated and does not meet the requirements demanded.

3. AR 350-225:

a. Another document that impacts upon the area of survival, evasion and escape training and provides policy is AR 350-225, "Survival, Evasion and Escape Training":

"Survival, escape and evasion training will be conducted in the Continental US on a progressive and recurring basis commencing with the Basic Combat Training phase. Training will include the principles and techniques of SE&E and will emphasize practical application of this training."

b. Objectives outlined are not limited in any way. No objective of "familiarization" is provided--it strictly is functionally oriented. It outlines those "duties" to be assumed by all those taken captive, e.g., to attempt to escape, etc. The Commanding General, US Continental Army Command (CONARC) is directed to provide for survival, evasion, and escape training. The purpose is "to insure each individual is trained to fulfill his responsibilities under the Code of Conduct and to accomplish survival, evasion, and escape under all conditions that may be encountered."²

c. Again, we encounter the generalities that appear so frequently in survival, evasion, and escape literature. Very little concrete guidance is provided. It is simply a matter of providing more of the "how to do it" rather than the "why to do it."

(5) Reports from the Field:

(a) Trainee/Soldier Questionnaire:

1. In an evaluation of the degree to which Army doctrine meets the requirements demanded for preparing the soldier in the survival, evasion, and escape block of training, a series of interviews was conducted. The first interviews were conducted at Fort Jackson in April 1971. One hundred and two trainees from BCT and AIT classes were interviewed. Subsequently, in June and July 1971, 46 soldiers of the 82d Abn Div and 44 members of the 5th Special Forces Group were interviewed at Fort Bragg, North Carolina.

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2. The purpose of these interviews was to determine the depth to which initial Army training and subsequent unit training provided these men with the requisite knowledge. A consolidation of the responses to the questionnaire is found in APPENDIX G, this Study.

3. There were five questions on the questionnaire which were relevant to the area of SEAE:

a. How many types of food would be available (under survival conditions) in the jungles of Southeast Asia?

b. If captured in Southeast Asia, what type of confinement would you anticipate: Compound in North Vietnam; Permanent camp in South Vietnam; Compound in China; Mobile Camp in Southeast Asia?

c. Which of the following foods would be best to eat for your health: Rice, fish, meat, green vegetables, "potato" tubers, anything offered?

d. Are the following safe to eat: Monkey, raw fish, raw eggs, maggots, poisonous snakes?

e. When is the best time to escape? (The correct answer is "immediately after capture." Respondents were judged according to the adequacy of reply.): Adequate reply; Inadequate reply.

3. There was a noticeable lack of ability to identify edible food on the part of all those questioned. Thirty to 45% of all those queried were able to do so leaving a significant majority of the remainder in the dark. The fact that virtually none of those remaining (55-70%) were able to name even one, points to an existing void in this area of survival.

4. The responses to the question on what type of internment conditions they would expect to find themselves in should they be captured was far better than that experienced in any of the other questions. Seventy per cent of the Fort Jackson trainees, 55% of the 82d Abn Div enlisted men, and 78% of the SF enlisted men selected the mobile camp alternative. The officers in the two active Army units overwhelmingly (88%-82d and 91%-SF) concurred in this response. What negates this seemingly correct answer is that when queried why they selected this alternative, the enlisted personnel indicated that their knowledge of the situation was gleaned primarily from contemporary news accounts and not Army training.

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5. The poorest responses were received in those areas where the interviewed soldiers were required to display their knowledge of specific food sources. It was not surprising that 73% selected green vegetables as the best food to eat, but their selection of rice over fish indicates a dearth of knowledge in the subject area. As a corollary to this, the majority of enlisted men in both the 82d Abn Div and Special Forces as well as the officers in the 82d Abn Div considered fish not only low in nutritional value but in fact, not edible. In the latter case, the selection was "raw" fish which may have clouded the question but raw fish is edible and, in a survival situation, could be eaten without harmful effects. This underestimate of the value of fish represents a rather important misconception inasmuch as fish represents a basic staple in many areas of the world.

6. Visual conception apparently has more to do with the soldiers' opinions on the palatability and digestibility of food than does his training. Responses indicating a lack of confidence in eating poisonous snakes ranged from 10% to 50%. Although maggots when boiled can be safely eaten, only 15% at the maximum consider this insect larvae to be safe to eat. Nearly all (40-80%) responded as expected, and considered monkey safe to eat.

7. Perhaps the most surprising statistic derived from the questionnaire concerned the best time to escape. Fifty-eight percent of the Fort Jackson trainees provided adequate answers, while only 24% of the 82d Abn Div personnel responded correctly. And yet, in a final question wherein the interviewed soldiers were requested to rank SE&E training against five other SE&E or SERE-related subjects, the overwhelming selection was to place SE&E number 1. These results pose a paradox. If the overwhelming majority feel that SE&E training is so important, why was it that only 58% at best could identify the best time to escape. Obviously a training deficiency exists.

(b) Former Prisoner of War Questionnaire:

1. A questionnaire was sent to all US Army personnel known to have been prisoners of war in Southeast Asia and returned to US control through the media of escape or repatriation. A consolidation of the results of that questionnaire is found in APPENDIX G, this study.

2. The responses to this questionnaire in the area of survival, evasion and escape provides additional evidence that SE&E doctrine and training requires improvement.

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3. Virtually all of those who had experienced Communist internment indicated that, in their opinion, SE&E training is of critical importance. All felt that there is a definite and current need to place greater emphasis on this block of training.

4. The returnees' comments concerning inadequacies of the training program (and indirectly the doctrine) stressed the need to provide greater emphasis on the geographical area in which they will most likely be deployed. The unanimity of this concept among the returnees is a significant incentive to orient SE&E training geographically.

(6) Conclusion:

(a) Survival, Evasion and Escape doctrine is available in two main Field Manuals, FM 21-76 and FM 21-77A (S). Unfortunately, much of the data provided for the escape portion is World War II oriented and fails to address the low prison population experiences of Southeast Asia. Further, the data as provided in the evasion section requires additional clarification by geographical areas. Such an approach would be beneficial to trainees and soldiers being deployed overseas.

(b) The conclusion can be made from a review of the responses by both the trainees and active duty personnel, that the doctrine which does exist is not adequately understood by the US soldier. The basic fundamentals are not being assimilated.

b. The Geneva and Hague Conventions: The Geneva Conventions of 1949 consists of four agreements, only one of which, the Geneva Convention Relative to Prisoners of War, deals with PW's specifically. In similar fashion, the Hague Convention of 1907 is composed of five distinct agreements; however, only a single chapter of the Hague Convention No. IV is germane to the PW discussion.

(1) Among the requirements generated by Communist prisoner of war management principles and listed at the conclusion of chapter 2 are two which impact upon the doctrine applying to the individual soldier in the scope of the Geneva and Hague Conventions. They are:

(a) THE US SOLDIER MUST BE FULLY INFORMED OF HIS RIGHTS AND OBLIGATIONS UNDER THE 1949 GENEVA CONVENTION FOR PRISONERS OF WAR (GPW).

(b) THE US SOLDIER MUST BE AWARE OF THE CONSEQUENCES THAT MAY OCCUR FROM WHAT HE SAYS OR WRITES BECAUSE OF THE COMMUNISTS' REFUSAL TO RECOGNIZE ARTICLE 85, GENEVA CONVENTION RELATIVE TO PRISONERS OF WAR.

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(2) Current Policy:

The ASubjScd 27-1, dated 8 October 1960 has as its objective "to familiarize military personnel with their rights, duties, and obligations under the Hague Conventions of 1907, the Geneva Convention of 1949, and the customary law of war"3 Although Chapter II of Hague Convention No. IV contains 17 articles (Articles 4-20) which are concerned with Prisoners of War, the Subject Schedule only addresses those Hague IV rules relative to the manner of conducting military operations.4 The treatment of enemy PW's in accordance with the Geneva Conventions is the major theme of the Schedule and as such, the coverage of those Conventions is reasonably thorough. A brief segment is devoted to informing the US soldier of his rights should he become a prisoner of war.

(b) AR 350-216, "The Geneva Conventions of 1949 and Hague Convention No. IV of 1907," delineates stipulations concerning the occasions and frequency of training in support of the Geneva and Hague Conventions. According to the regulation, training in the Conventions is to be provided during BCT as well as during branch basic and career officer and warrant officer MOS courses at Army Service Schools.5 In unit training, commanders are to insure that all members of their command receive a minimum of two hours of "formal instruction" within each calendar year or within six weeks after entry on active duty for those individuals not receiving basic combat training or branch basic officer course. It should be noted that in accordance with the new Army training policy concerning mandatory unit training, the AR is currently being revised to delete the unit training requirement. In addition, Army field commanders have the responsibility to insure that individuals of their command "receive orientation in the Conventions and rules of engagement...within two weeks after arrival in the theater of operations, and prior to their entry into combat operations." According to AR 350-216, "this instruction should be tailored to the particular environment and type of warfare in the theater."6 It is evident that the Army desires that the US soldier be instructed on the Geneva and Hague Conventions. The precise nature of the instruction to be presented is somewhat nebulous.

(3) Field Manuals:

There are several significant source documents for Army doctrine and training in support of the Geneva and Hague Conventions. These include: FM 21-10, The Law of Land Warfare (July 1956); DA Pam 27-1, Treaties Governing Land Warfare (December 1956); DA Pam 20-151, Lectures of the Geneva Conventions of 1949; DA Pam 27-161-2, International Law, Vol II

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(23 October 1962); DA Pam 360-229, Barbed Wire Command; and DA Pam 360-230, Prisoners of War. Additional sources include; DOD Gen-36, PW - Your Rights and Obligations under the Geneva Convention (September 1, 1969); Army Subject Schedule 27-1, The Hague and Geneva Conventions (8 October 1970); and AR 350-216, "Training: The Geneva Conventions of 1949 and Hague Convention No. IV of 1907" (28 May 1970).

(4) Discussion:

(a) In general, Army training in support of the Conventions places emphasis upon "the rights and obligations of US Army personnel regarding enemy and other personnel, property, and the rights and obligations of US Army personnel if captured or detained."⁷ AR 350-216 provides a list of specific topics to be emphasized. Among these are:

1. The requirements of customary and conventional law pertaining to captured or detained personnel, property, and civilians.
2. Acts of violence against and inhumane treatment of personnel.
3. Legality of orders.
4. Rules of engagement.
5. War crimes reporting procedures.

(b) Only a limited portion of doctrinal literature deals specifically with the Geneva Convention Relative to Prisoners of War, and there is only occasional, superficial reference to Hague Convention No. IV. For example, Chapter 3 of FM 27-10, The Law of Land Warfare, governs prisoners of war. This chapter is structured according to the arrangement of the articles in the Geneva Convention. The text is primarily legal in its approach and not written in layman's terms. It deals with the obligations and privileges of the PW in a manner which is difficult for the combat soldier to comprehend.⁸

(c) Other publications concerning the Conventions are similarly oriented. The Department of the Army Pamphlet 27-161-2, International Law, (Vol II), contains very little information directly relevant to the individual prisoner of war (less than one third of the chapter on prisoners of war).⁹ As might be anticipated, DA Pam 20-151, Lectures of the Geneva Conventions of 1949, closely adheres to the structure of the Convention Relative to Prisoners of War, and the material is presented in a less complex manner.

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(d) As indicated previously, the total scope of the Conventions covers a wide range of legal matters, not all of which deal with prisoners of war and related topics. Slightly less than one-half of ASubjScd 27-1, The Hague and Geneva Conventions, pertains to this restricted area. It employs a similar approach in the treatment of the obligations and privileges established by the Geneva and Hague Conventions. There is a decided emphasis upon definitions as regards "prisoners of war," "Detaining Power," "Protecting Power," and of "Retained Persons". There is also an examination of the matter of the information required by the Geneva Convention to be revealed by the PW. But again, the exact rights and obligations of the PW are not clearly delineated.

(e) According to ASubjScd 27-1, Army training in support of the Geneva and Hague Conventions should explain such rights of PW's as the right to correspond with their families and to receive mail and parcels. It should also describe the nature of the Red Cross Capture Cards. Indications are that the explanations on these "rights" are not reaching the US soldier. Army doctrine explicitly states that the Red Cross Capture Card may be completed without hesitation.¹⁰ Interviews with trainees at Fort Jackson, South Carolina, revealed that only 29 percent of the respondents were aware that they were permitted to give the information required by the capture card. The active duty personnel in the 82d Airborne Division and 5th Special Forces Group fared no better. Only 29 percent of former prisoners of war who were questioned felt they were permitted to complete the capture card. This failure to adequately inform the US soldier of a basic "right" and obligation is a reflection on Geneva Convention Training and perhaps moreso on Code of Conduct training.

(f) The subject schedule continues by explaining a number of other privileges accorded prisoners of war by the Geneva and Hague Conventions. These include adequate housing, food, and clothing, as well as the right to the practice and exercise of freedom of religion. In addition, instruction points out the prisoner's right to medical attention and the authority of medical personnel to minister to the sick and wounded.

(g) The subject schedule covers the nature of work which a detaining power may compel prisoners to perform and the conditions under which it must take place. They include a discussion of the command authority of the senior prisoner and the role of the prisoners' representative. A significant portion of the proposed instruction is reserved for a discussion of penal and disciplinary sanctions pertinent to the PW environment.

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(h) Although there is additional material presented in the subject schedule, and subsequently in the training programs, little of it pertains to the PW context. In retrospect, it appears that doctrinal and implementing literature affords a basic coverage of the Geneva Conventions and the Hague Convention No. IV of 1907. There are, however, two criticisms of emphasis rather than of substance.

1. There is a definite emphasis explicit in the majority of pertinent literature upon the relationship between the Geneva and Hague Conventions and the handling of enemy prisoners of war. The pertinency for the USPW is addressed at a very low key. This orientation is less emphatic in FM 27-10 and the ASubjScd pertinent to the Conventions. Department of the Army pamphlets appear to underscore the notion that the individual soldier must be aware of the Geneva and Hague Conventions in order to treat enemy prisoners of war in accordance with the Convention.

Rights and obligations of the USPW are not emphasized. Perhaps inadvertently, FM 27-10 and the subject schedule contribute to this attitude. In their exposition of the nature of the Conventions and their respective articles, there is only minimum indication that the material presented prescribes guidance for his actions as a PW in addition to how he should treat an enemy PW. Army training literature in support of the Geneva Convention Relative to Prisoners of War underscores this dual nature of the Convention.

The Convention is important to the individual American fighting man for several reasons. First, because it is the law and he is charged with the duty of living up to its requirements. During hostilities when US forces capture enemy personnel, they must know the standards of treatment to which their prisoners are entitled, in order to abide by the terms of the Convention and thus uphold the dignity and honor of the United States.

Secondly, any soldier may become a prisoner of war, and should know his rights under the Convention; he also should know exactly what rules he is required to follow during his imprisonment with the enemy. This knowledge could have a lot to do with his own well-being and the security of his organization.¹¹

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Although the dual nature of the Convention is recognized, the concept is obscured in most official DA publications. There is an obvious absence of discussion of the applications of either Convention. It is implicit in the presentation of the material that if the US soldier knows how to treat an enemy PW, he will have acquired adequate knowledge of what protections and assurances he should have if he, himself, is captured. The impression remains that a need exists for a direction of instruction which demonstrates how the Conventions will pertain to a United States soldier if he is captured. The question to be resolved is in which course of instruction should the PW aspect be presented; Geneva Convention or Code of Conduct.

2. The second criticism is related to this lack of emphasis upon the application of the Geneva and Hague Conventions. The explanation of the articles of the Conventions in doctrinal literature is too conventional in tenor. While the source documents demonstrate that the Conventions do apply to a conflict such as that in Vietnam, the discussions are not related to this unconventional environment. Instead, the discussion deals with issues which most likely will be denied prisoners or may be impossible to be granted by a detaining power. The sending and receiving of correspondence, work details, religious freedom, the posting of the Conventions, "adequate" food, housing, and clothing-- these issues become peripheral in current PW experiences.

(i) The doctrinal literature indicates that the Conventions do apply in Vietnam and similar situations, and the student is to surmise that all rights and obligations are then applicable. There is, however, no discussion related to a prisoner's behavior, expectations, and courses of action should a detaining power refuse or be unable to treat a US prisoner of war in accordance with the Conventions. The soldier must be made aware that he may not be accorded all the rights and privileges of the Conventions, nor should he blindly anticipate receiving any or all of them.

(j) In official literature pertaining to the Conventions, there is no mention of the impact upon the USPW of Communist reservations to Article 85 of the Geneva Convention Relative to Prisoners of War. The only indication of the application of these reservations to a PW is found in literature concerning the Code of Conduct. The published "explanation" of Article V of the Code includes the following paragraph:

Under the Communist Bloc reservations to the Geneva Convention, the signing of a confession or the making of a statement by a prisoner is likely to be used to

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convict him as a war criminal under the laws of his captors. This conviction has the effect of removing him from the prisoner of war status and according to this Communist Bloc device denying him any protection under terms of the Geneva Convention and repatriation until a prison sentence is served.¹²

Although this statement is excessively ominous, particularly since it has never been implemented by "Communist Bloc" nations, the possibility exists that the reservations to Article 85 of the Geneva Convention could prove significant. There is a need that the US soldier be cognizant that the signing of a confession or the making of a statement which alludes to a "war crime" could jeopardize his protection under the GPW.

(5) Conclusion:

There is, then, a need to instruct U.S. personnel in their legal rights and obligations as PW's. Geneva and Hague Convention training presently emphasizes the obligation of the soldier vis-a-vis helpless individuals who have come under his control, i.e., his role as captor. The other side of the coin should be the subject of separate training in a comprehensive SERE program.

c. Resistance Training:

(1) There is no comprehensive "single-source" document (FM, AR, or Pamphlet) which prescribes Army doctrine or policy for resisting interrogation, indoctrination and exploitation of a prisoner of war. The Code of Conduct is reproduced in numerous documents and represents the overwhelming majority of current doctrine applicable to this area.

(2) Resistance training is oriented to providing the serviceman with the knowledge and skills necessary to resist enemy interrogation and indoctrination. This training is receiving substantial emphasis in programs enacted by the Navy and Air Force. Resistance training (as a unique block divorced from the general Code of Conduct training) receives virtually no attention from either the Army or Marine Corps.

(3) Among the requirements generated by Communist treatment of PW's are several which the soldier must know if he is to resist successfully. These requirements include the following:

(a) "THE AMERICAN SOLDIER MUST BE INSTRUCTED ON THE COMMUNIST MANAGEMENT PRINCIPLES AND HOW THESE ARE USED TO HIS DETRIMENT AND THAT OF HIS COUNTRY."

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(b) "THE AMERICAN SOLDIER MUST BE AWARE OF THE VARIOUS INTERROGATIVE TECHNIQUES AND HOW BEST TO EVADE GIVING SUBSTANTIVE INFORMATION."

(c) "THE AMERICAN SOLDIER MUST BE INSTRUCTED ON THE USE OF SEGREGATION AND THE COMMUNIST OBJECTIVES IN EMPLOYING IT."

(d) "THE AMERICAN SOLDIER MUST BE AWARE OF THE TECHNIQUES AND OBJECTIVES OF THE COMMUNIST INDOCTRINATION PROGRAM AND WHAT INDIVIDUAL COUNTERMEASURES CAN BE TAKEN."

(e) "THE AMERICAN SOLDIER MUST BE FULLY AWARE THAT THE GOVERNMENT WILL MAKE EVERY POSSIBLE EFFORT ON BEHALF OF HIMSELF, HIS FELLOW PW'S AND HIS FAMILY DURING AND AFTER HIS INTERNMENT."

(f) "THE AMERICAN SOLDIER SHOULD BE FAMILIAR WITH THE EFFECTS OF ISOLATION AND THE MEANS TO COMBAT IT."

(g) "THE AMERICAN SOLDIER SHOULD BE INSTRUCTED ON THE EXPLOITATIVE AIMS OF THE COMMUNIST POWERS."

(4) The following requirements have been generated by National and Department of Defense policy and are germane to the area of resistance:

(a) EVERY US SOLDIER MUST HAVE AN INGRAINED POSITIVE ATTITUDE THAT HE CAN AND MUST SUCCESSFULLY RESIST ANY ENEMY OF HIS COUNTRY.

(b) THE US SOLDIER MUST BE INSTRUCTED ON HOW TO RESIST INTERROGATION, INDOCTRINATION, AND EXPLOITATION.

(c) THE US SOLDIER MUST BE INSTRUCTED IN PW CAMP ORGANIZATION, TO INCLUDE A NEED FOR OVERT AND COVERT SYSTEMS OR ORGANIZATION.

Each requirement listed above indicates a need for doctrine and training. In reviewing current doctrine in light of those requirements, it was readily apparent that no other area had as many requirements to meet as did the area of Resistance Training. From that standpoint it can be concluded that resistance is of critical importance to the interned soldier.

(5) Doctrinal Publications:

(a) The Army presently offers no block of training exclusively dedicated to resistance. As would be expected, therefore,

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there are only a few publications that even consider the subject. In most instances the consideration is very general and presented as an ancillary topic to the main subject being covered.

(b) FM 21-76:

1. FM 21-76, Survival, Evasion, and Escape, is the primary source document for "resistance" doctrine in the Army. By the nature of its title, a rapid assessment can be made of the relative coverage of resistance provided within its covers. Less than 10% of the manual is devoted to capture and internment. Because of the paucity of space provided to the internment environment, coverage on survival while interned and resistance to the management techniques employed is very general and of little substantive value.

2. An example of the general approach would be the doctrine covering enemy interrogation and indoctrination techniques. As provided it is quite unrealistic:

"The first line of defense against interrogation and later indoctrination is military bearing, silence, and trust in yourself, your Army, your country, and your religion."¹³

Conclusions reached in Chapter 2, of this study, imply that silence is difficult if not impossible to maintain. Although the "first line of defense" may very well be silence, the manual does not give any consideration to what the "second or third line of defense" may be. The manual stresses only that name, rank, service number, and date of birth should be provided to the enemy without offering a feasible alternative should the pressures become overwhelming.

3. The brief space devoted to indoctrination provides a fair capsule view of both the objectives and techniques, but the manual again falls back to the impractical solution of maintaining silence as a primary means to foil the indoctrination efforts. It concludes by stating again that "confidence in yourself, your family, your unit, your country, and your religion serves as a very effective defense against indoctrination."¹⁴ To have a significant impact upon the US soldier a more detailed discussion of both the techniques and counter-techniques would be beneficial.

4. There is no written doctrine within the manual which deals with the common techniques of segregation or isolation. These two

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techniques, which are crucial tools for enhancing the indoctrination effort, have somehow been totally glossed over in Army doctrine. As shown in Chapter 2, the US soldier, if captured by a Communist power, will assuredly experience one if not both of these techniques. This is a major void in FM 21-76.

5. Exploitation, the ultimate goal of the Communist PW management program, like segregation and isolation, is not delineated within FM 21-76. It is alluded to in the discussion under indoctrination, in that one objective given in that section is that of recruitment of agents. But it fails to touch on the other key exploitive forms: political, propaganda, economic, and military. Its exclusion typifies the very superficial treatment of internment survival and resistance found within the manual.

6. It can be concluded then that FM 21-76 is not an adequate source for "resistance" doctrine. Inasmuch as it represents the sole, unclassified source for such doctrine, its failure to comprehensively discharge its responsibility in this area magnifies accordingly.

(c) FM 21-77A:

1. FM 21-77A, Joint Worldwide Evasion and Escape Manual, dated 1 August 1967, is the classified counterpart to FM 21-76. In the topical area of resistance it is a little more comprehensive than the latter, but not significantly so. Although FM 21-77A is a classified manual (SECRET), the chapter on "Resistance to Enemy Interrogation, Indoctrination, and Exploitation" is unclassified.

2. The fact that it has a chapter whose title incorporates the term resistance would tend to indicate a fairly extensive coverage of the subject. Unfortunately, due to the differences in existing guidance among the four Services on how to resist, this joint manual couches its guidance in only the most general of terms. It refers to "approved responses" to interrogation and indoctrination, but fails to delineate them, only stating the reasons the approved responses were so designed. It discharges its responsibility in this area by stating:¹⁵

Each Military Service is responsible for training its personnel according to their needs and the capture potential of the individual. The Military Services are further responsible for dissemination of approved responses within the guidelines prescribed by Paragraph 6-4a.

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In the US Army, approved responses are disseminated through the media of FM 21-76, which was previously discussed and found inadequate, and AR 350-30 which was discussed in the examination of the Code of Conduct and also found lacking.

3: As in the case of FM 21-76, segregation and isolation are totally ignored except for one mention of isolation as a technique to apply psychological pressure. Exploitation is explained away by the simple statement that it is "the use of the prisoner and his captive status, as well as the results of interrogation and indoctrination for such purposes as labor, propaganda, hostage value, and subversion."¹⁶

(d) DA Pamphlet 30-101:

1. DA Pamphlet 30-101, Communist Interrogation, Indoctrination, and Exploitation of Prisoners of War, dated May 1956, provides a narration of Communist management techniques as applied to PW's. This document is exclusively concerned with Russian and North Korean/Chinese Communist techniques of prisoner exploitation.

2. Although this pamphlet deals solely with the World War II and Korean War experiences of PW's under Communist control and fails to include information on the current experiences in Southeast Asia, it remains an excellent reference for examining the key techniques of the Communists. It places a great deal more emphasis on interrogation and indoctrination than on the ultimate exploitation but this may be justified in that the former two techniques are indispensable to accomplishing the last.

3. If there is any criticism to be made of this document, it must be done in light of both the date of its publication and its publication objective. Published in May 1956, it is outdated and could use some revision to include some of the more sophisticated management techniques currently in use in Southeast Asia. Its publication objective obviously was to inform US Army personnel of the various techniques used by the Communists to manage and exploit prisoners of war. It apparently was not designed to and therefore does not adequately address the aspect of resistance to the techniques. It offers no more guidance on realistic means to resist and/or survive than does FM 21-76 or FM 21-77A.

(e) AR 350-30 and AR 350-225:

1. AR 350-30, "Education and Training: Code of Conduct," dated 8 July 1968, and AR 350-225, "Survival, Evasion, and Escape Training," dated 24 April 1969, provide the basic guidance for training in the resistance area.

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2. A training objective in the Code of Conduct training is to impress upon each member of the armed forces "a confidence in his ability to deny information and to resist enemy interrogation, exploitation, and indoctrination."¹⁷ In a similar vein, a stated objective in Survival, Evasion, and Escape (SE&E) training is to "equip the soldier to resist enemy interrogation, indoctrination, and exploitation."¹⁸ The fact that these two objectives exist in two separate but obviously interrelated regulations leads to the obvious conclusion that the Army recognizes the need to instruct in resistance techniques.

3. AR 350-30 unequivocally states that "resistance to interrogation, indoctrination, and exploitation will be developed and hardened by expanding the individual's understanding of the following subject areas." This is followed by a short list covering "truths and advantages of our democratic institutions," "moral fiber through religious convictions," and "national and military traditions." It goes on to state that: "Each serviceman will be instructed...in enemy interrogation methods and techniques. This instruction should explain how resistance can be accomplished under varying interrogation techniques and degrees of coercion which may be utilized by an enemy..."¹⁹

4. AR 350-225 includes within its scope the statement that appropriate emphasis should be given to "resisting enemy interrogation, indoctrination, and exploitation."

5. Recognition of the need to instruct the US soldier in these and other vital resistance subjects is hardly sufficient. Where the regulation states that the US soldier should be taught "how" to resist, there must be a reference source somewhere which provides the specific "how" in terms other than intangible, patriotic phrases. Such specific guidance is not provided by the AR nor, as has been shown in previous discussion, is it available in any field manual or pamphlet.

6. If instructing the US soldier on resistance techniques is as important as is indicated in the two Army regulations, then the lack of adequate guidance in them or any other Army publications is a major void in doctrine for captured/detained US military personnel.

(6) Comments from the Field:

(a) Trainee/Soldier Questionnaire:

1. There were four questions on the questionnaire which were relevant to the problems of resistance. They were:

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a. How would you resist enemy interrogation: maintain silence, maintain silence until subjected to pain; resist then lie to deceive, relate a pre-conceived cover story?

b. What techniques would be used against you by an enemy interrogator/indoctrinator? (Adequacy of answer was based on ability to identify one or more of the standard interrogation techniques.)

c. Would you anticipate different types of care at the hands of the North Vietnamese as opposed to the Viet Cong? (Yes or No answer sought.)

d. How would you anticipate the treatment you would receive at the hands of the Viet Cong or North Vietnamese (NVN): torture, execution, intensive interrogation, good care, starvation, no care, other?

2. As would be expected with the lack of published doctrine, the responses to the above questions indicated that the US soldier does not have an adequate grasp of resistance techniques or even what he is expected to resist.

3. In response to the question on how to resist interrogation, a marked majority selected the maintenance of total silence as their choice (48% of the trainees, 62% of the 82d enlisted men, 47% of the 82d Abn Div officers, 33% of the SF enlisted men, and 6% of the SF officers). There are two significant points which can be derived from these responses.

a. It appears that the more specialized the training, the greater the recognition that total silence is not the panacea to resisting interrogation.

b. That the majority of the Army enlisted men, when considering resistance, fall back on their Code of Conduct training and adhere to the concept of providing name, rank, service number, and date of birth only.

4. The fact that almost 50% of the trainees and more than 50% of the 82d enlisted indicated that they would "maintain silence at any cost" indicates that the Army's current approach to resistance is deficient. The reaction of those who have returned from Communist internment has shown that it is a rare case indeed wherein a PW can steadfastly refuse to offer any response to questions asked during prolonged interrogation. Virtually all who have undergone internment and been queried in the course

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of this study have stated that communication must, and should, be established and maintained with ones captors. This communication is considered a necessity not only for the prisoner to enhance his well being but also to equip him to meet the diverse challenges imposed by the captor.

5. As described in APPENDIX K - Policies and Procedures of Other US Armed Services, both the Air Force and the Navy have already recognized the futility of advocating total silence as the answer to interrogation and/or indoctrination. Neither service expects or demands that the prisoner maintain silence at any cost. The manner in which they conduct their resistance training implies a conviction that strict adherence to silence is not conducive to the best interests of the United States or the individual American prisoner.

6. The total silence response reflects an ignorance of reality and an undesirable degree of naivete on the part of those queried. This is especially true when tied to the responses on what techniques of interrogation should be anticipated. Fully 90% of the trainees, 97% of the SF enlisted personnel, and 83% of the 82d Abn Div personnel were unable to provide an adequate reply. In many cases, the answer was simply "I don't know." Those responding overwhelmingly included torture as an interrogation technique. This response provides several key points which need to be brought out:

a. With by far the majority queried feeling that total silence is the best answer to interrogation/indoctrination and that interrogation will be accompanied by outright torture, the ability to maintain "silence" in the face of torture appears very unrealistic. It is also worth noting that although 77% of the enlisted men and 94% of the officers of the SF Group elected a course other than silence to resist interrogation, 97% of the EM and 73% of the officers were unable to provide adequate answers as to what they could expect from the interrogator.

b. Chapter 2, this study, describes both the reasons and effects of the Chinese Communists' "lenient Policy" during the Korean War and the Vietnamese (North and South) Communists' "Humanitarian Policy" during the conflict in Southeast Asia. A prisoner who expects to be killed or tortured upon capture is an easy mark to these ploys. The prisoner, when treated in a manner far more "humane" than that which he had anticipated will experience feelings of both relief and gratitude to his captors. This latter emotion when properly played upon enhances the indoctrination and ultimate exploitation of the prisoner.

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c. Awareness of interrogation techniques is in itself an aid to resistance. In an interview with WO2 Malcom V. Loepke, he stated that in the course of one period of interrogation by the North Koreans after his helicopter had been shot down in 1969, he was severely beaten by one interrogator. A second interrogator entered the room chastised and dismissed the first interrogator, and apologized to WO Loepke. WO Loepke stated that his recognition of the standard "Mutt and Jeff" routine gave him a sense of relief and caused the "gratitude-seeking" ploy to fail. The lesson that can be learned here is that if the prisoner knows what to expect, he will be better prepared for it when it takes place.

7. The responses to the difference in care and treatment anticipated again showed a lack of knowledge in a vital area. With the exception of the SF officers (9%), the majority (47-72%) indicated that they would expect torture as a normal course if they fell into the hands of the Communists. Most all felt that they would be intensively interrogated and a significant number anticipated execution. This ultra-harsh view of internment at the hands of the Communists may be both an advantage and a disadvantage to the US Army:

a. The advantage lies in the inherent fear of torture and execution. The soldier committed in combat is far less likely to surrender if he feels that surrender in itself will not assure his safety and welfare, especially if he feels he will be sadistically tortured or killed.

b. The disadvantages lies in a recognition after capture that what he had been lead to believe through his training was false. Such recognition may lead to doubts about other areas in which he had received instruction. And as stated before in paragraph (6)(a)6 above, the feelings of relief and gratitude toward the captor for his "lenient" or "humane" policy jeopardizes the individual's ability to resist. Life in a Communist prison camp is arduous and a constant struggle for survival. Telling the US soldier the truth about such an environment should be enough to deter him from voluntarily surrendering when he still has the means to resist. It is not necessary to emphasize the aspects of torture and/or execution.

(b) Former Prisoner of War Questionnaire:

1. When asked to rank in order six areas of training which would have proved of greatest value to them during captivity, re-urnees selected "Techniques of interrogation resistance" as their second choice. First choice was "Evasion and escape techniques" with the remaining four in order of selection being "Instruction on the nature of

Communism, Sanitation and health, Techniques of PW organization while in captivity, and Code of Conduct training." All who were interviewed stated that when facing the ordeal of interrogation they had little or no knowledge as to what to expect and that they were left to their own devices on how best to resist, i.e., evade giving substantive information. It is significant to note that not one of them was able to maintain total silence in the presence of his interrogator.

2. Considering the importance that returnees placed on resisting interrogation, their responses to the query as to whether or not they had been instructed prior to captivity on the Communist management principles in general and on the Communist interrogation and indoctrination techniques specifically were significant. Seventy-five per cent indicated that they had not received the general orientation and 83% disclaimed any previous knowledge of interrogation and indoctrination techniques. These figures are in alignment with the inadequate answers provided by the trainees and active duty soldiers discussed in sub-paragraph (a) above. It must be concluded that doctrine and training in the area of resistance has not been in the past and is not now adequate.

3. The adequacy of training in the past is best exemplified by the replies to the question which inquired whether the returnee felt he had been adequately prepared for his internment experience by his Army training. Seventy-five per cent of the replies stated that the training prior to capture was less than adequate with most of those (55%) indicating that training was poor. When asked to supply subject areas which they felt should be considered or given additional emphasis in the Army training program, the largest single response was evasion (resistance to) of interrogation/indoctrination.

(7) Conclusion:

(a) Resistance doctrine is proliferated throughout Army literature but that which does exist is superficial and of little value to the US soldier. FM 21-76 and FM 21-77A are currently the two principal manuals for reference in this critical area and both, for different reasons, fail to provide the necessary guidance.

(b) Resistance training as an entity does not exist in the Army. Resistance doctrine, or at least that which exists relative to resistance, is provided to the soldier under the guise of Code of Conduct and Survival, Escape and Evasion training. There is evidence that what is available for presentation is either not being presented or not being comprehended by the US soldier.

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-4. (U) DISCUSSION OF SERE- RELATED SUBJECTS:

a. Field Hygiene and Sanitation:

(1) Current doctrine and training does not specifically relate field hygiene and sanitation to the internment environment. These subjects are critical problems which an internee faces. As such, they deserve specific attention in any discussion concerning doctrine for captured/detained US military personnel.

(2) Existing doctrine for combat soldiers' sanitation and hygiene needs is found primarily in FM 21-10, Field Hygiene and Sanitation, and in FM 21-75, Combat Training of the Individual Soldier and Patrolling. Much of this doctrine is applicable to the internment environment.

(3) Among the requirements generated by the Communist management principles (Chapter 2, this study), the following requirement relates directly to field hygiene and sanitation: THE AMERICAN SOLDIER MUST BE KNOWLEDGEABLE IN THE AREA OF SANITATION AND PERSONAL HYGIENE SO THAT HE MAY MAINTAIN HIMSELF, AND HIS ENVIRONMENT IN A MANNER THAT IS CONDUCTIVE TO GOOD HEALTH.

(4) Current Training Requirements:

(a) Basic Combat Training:

1. Army Subject Schedule 21-3, "Field Sanitation," provides the schedule and outline for training in the subject area. It contains the following objective:²⁰

To familiarize the soldier with the basic principles of sanitation in the field and the measures used to maintain health and prevent the spread of disease.

2. Current BCT training schedules require one hour of Field Hygiene and Sanitation Training. The one hour provides historical rationale for the need of such training, methods for purification of water, proper procedures for washing mess gear, and a discussion of devices and material used in insect and rodent control with specific references to individual protective measures used in the prevention of malaria.

(b) Advanced Individual Training. Field hygiene and Sanitation is not a mandatory subject during AIT. The trainee, however,

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is required to keep himself and his living/working areas in a proper state of cleanliness.

(c) Officer Basic and Advanced Training. Field hygiene and sanitation is integrated in a block of training that includes general first aid for both the basic and advanced officer courses. The amount and nature of the training vary considerably from branch to branch. The number of hours ranges from a high of 22 hours (of which seven hours are integrated with other subjects) at the Chemical School Advanced Course to zero hours at the career courses of both the Armor and Air Defense School. The average is approximately two hours. (For specific hours of instruction, see APPENDIX G, this study.)

(5) Field Manuals:

(a) FM 21-10, Field Hygiene and Sanitation, July 1970:

1. A review of this FM indicates that limited consideration is given to the implications of the prison camp environment for health and disease. As an example, one section concerns itself with communicable diseases of military importance.²¹ Stressing the importance of environment in the spread of such diseases, it illustrates its point by providing a detailed description of the implications the basic training environment has for the proliferation of communicable diseases. No mention, however, is made of the far more critical environment of the PW compound. Whether or not this would be an appropriate section or subsection in which to delve into the criticality of the internment environment is not the immediate issue. The point is made simply that nowhere within the manual is this fact considered.

2. The section in the manual concerned with the steps essential to personal hygiene is equally applicable to the internment environment; however, again there is no mention of the increased importance of such practices during internment.

3. The section on food sanitation outlines in detail those techniques that can be applied when the necessary equipment and tools are on hand. It does not provide guidance for sanitation in the absence of such equipment or facility.

4. Extensive coverage is given to various vectors of diseases and the diseases that they transmit. Information is provided concerning mosquitos, flies, fleas, ticks, mites, cockroaches, bed bugs,

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black flies, spiders, snakes, rodents and leeches. These sections provide outlines of the manner in which these vectors transmit disease and the preventive techniques that can be employed against them. As with the chapters outlined above, there is no reference to the unique problems a prisoner may face; however, the consideration is adequate in providing the individual with a basic understanding of the disease problems.

5. Coverage is given in FM 21-10 to methods for moderating the effects of extreme temperatures. Little detail is provided, however, and it is sufficiently broad to provide only a general knowledge of the most effective means for combating extremes.

6. In summary, this basic text provides valuable information concerning the implications of hygiene and sanitation for health. In many instances the type of information provided would be of value in an internment situation. The major shortcoming of the manual from the prospective of SERE-related training and the specific requirement outlined above, is that the unique conditions that prevail in most internment situations are not adequately explored. Problems of sanitation and hygiene are complicated during captivity. Unfortunately, the manual does not pursue this line of thought.

(b) FM 21-75:

1. FM 21-75, Combat Training of the Individual Soldier and Patrolling, dated July 1967, contains a small section on health and hygiene in combat. Although limited in scope, it is for the most part, relevant to the internment environment.

2. The sub-sections on body cleanliness and water conservation and purification provide practical guides which could be useful to the prisoner, but, on the other hand, a sub-section on food sources unfortunately provides the solution that the "safest rule to follow is to eat and drink nothing except that which is issued to you or which has been investigated and approved for consumption.²² Food provided in a PW camp is rarely investigated or approved and the PW most likely will experience gastronomic difficulties.

3. The sub-section on Trench Foot, Immersion Foot, and Frost Bite are equally apropos to the internment situation and knowledge of the techniques described in this manual is applicable to the internment environment.

4. FM 21-75 properly stresses the need for the combat soldier to maintain proper standards of personal hygiene and physical

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fitness in order to be mentally alert and physically fit for the battle-field. The same concept must be stressed for the PW struggling to survive Communist captivity.

(c) FM 21-76:

1. FM 21-76, Survival, Evasion, and Escape, is the primary manual dealing with internment conditions. As has been shown in the previous discussion under both SE&E training and Resistance training, the portion that deals with internment is both outdated and inadequate in content.

2. In the internment section, FM 21-76 devotes two short paragraphs to the problem of personal hygiene and fails to address the area sanitation. Its message in essence is "keep clean." The "how" to do it, is limited to washing one's self and clothing with or without water and picking lice off the body. If FM 21-76 is to be the Army's manual for enhancing survival during captivity, the brief guidance on field hygiene and sanitation must be considered inadequate.

3. In its segment on survival, a more comprehensive but barely more adequate discussion is presented on the prevention of disease through proper hygiene and sanitation. Again, as in the internment section, it emphasizes keeping clean and provides some detail on how to prevent common diarrhea, food poisoning and other intestinal diseases. What is presented is of value to both the evader and the prisoner but the information needs to be expanded.

(6) Responses from the Field:

(a) Office of the Surgeon General (OTSG) Query. To obtain information on the adequacy of training in the area of personal hygiene, OTSG was queried.

1. Question: "Does current military training adequately address personal hygiene, sanitation, recognition of symptoms and emergency self-treatment necessary for survival while in a captive state?"

2. Response: "Current military training stresses emergency self-treatment such as treatment of trauma, maintenance of air ways, control of hemorrhage and other first aid considerations. However, little emphasis is placed upon the need for personal hygiene under primitive conditions. More important, the military does not prepare for mental "shock"--the state of confusion and initial disintegration found

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in the early stages of confinement. This, like physical trauma, can be prevented and the treatment is conditioning."²³

3. The above statement focuses on precisely the same problem that has been identified in a review of the relevant field manuals. Thus, we are provided with evidence that Army doctrine does not currently answer the requirement that has been generated in this area. The accumulated evidence indicates that there is, in fact, an obvious discrepancy between what is necessary and what is provided.

(b) Trainee/Soldier Questionnaire. The following question was posed to the trainees and active duty personnel at Fort Jackson, South Carolina.

1. Question: "Can you tell me how personal hygiene and sanitation could benefit you if you were a prisoner?"

2. Response: More than 75% of the trainees were able to provide an example of a way in which personal hygiene and sanitation could benefit them in an internment situation, thus reflecting the training just completed. Lack of retention of that training was reflected by the inability of 70% of the 82d Abn Div EM and 65% of the SF EM to match the trainee responses. This inability of the active duty personnel to provide just one example of the obvious need for hygiene and sanitation reflects a general lack of interest in this key area in the Army.

3. Although the above statistic tends to reflect lack of emphasis by the Army in its training program on sanitation, there is apparently more individual interest in the subject when viewed in the light of its importance to captivity. When asked to list six subjects in order of considered importance to internment, one of which was personal hygiene and sanitation, the hygiene and sanitation choice was unanimously rated third. For the most part, those who were unable to provide an adequate reason for the importance of sanitation, nevertheless recognized its importance. Since the individual soldier apparently feels a need for personal hygiene and sanitation instruction and the analysis of Communist management principles supports that need, it would appear that an expansion of current doctrine to include the occasion of captivity would be a program worth investigating.

(c) Former Prisoner of War Questionnaire:

1. There was no specific question on the former PW questionnaire which dealt specifically with this area. In the case where

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the former PW's were asked to rank six subjects similar to the trainee/soldier questionnaire, the returnees ranked sanitation and hygiene fourth.

2. Although no significant results can be gathered from the PW questionnaire, it is worth noting that in cases where former PW's were personally interviewed, the subject of maintenance of health and the constant effort to ward off or reduce the effect of debilitating diseases was always mentioned.

(7) Conclusions:

(a) Much of the necessary doctrine for maintenance of personal hygiene and area sanitation in an internment situation exists in one manual or another. The fact that at no time is such doctrine specifically tied to the internment environment is detracting but does not negate its value. There could be more emphasis on the primitive methods to accomplish hygiene and sanitation when the more sophisticated or standard field implements are not available.

(b) The responses of trainees at Fort Jackson indicated that there is instruction on the subject during Basic Combat Training. However, the instruction apparently stops upon termination of BCT and the retention of knowledge dissipates rapidly. It is important that the average soldier know two things about hygiene and sanitation. First, why the subjects are important, and second, how to practice them in the restricted, primitive environment of captivity. Responses indicate that the US soldier is not proficient in either area.

b. Physical Training:

(1) Among the requirements generated by the Communist prisoner of war management principles is one which impacts upon the physical training received by the soldier. This requirement is stated as follows: "THE AMERICAN SOLDIER MUST BE BROUGHT TO AND KEPT IN PEAK PHYSICAL CONDITION."

(2) FM 21-20, Physical Readiness Training, is the basic doctrinal manual for physical conditioning and development. It is implemented by ASubjScd 21-37 which provides an outline of the physical training requirements. The purpose and scope of the training is outlined as follows:

This subject schedule provides uniform guidance for the conduct of training in physical readiness and in necessary physical

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conditioning to obtain the training objective. Separate sections of this schedule are provided for basic combat training, advanced individual training, basic unit training, and advanced unit training.

The training objective as stated is:

The objective of physical readiness training is to develop individuals and units to be physically capable and ready to perform their duty assignments or missions during training or in combat, and to possess a reserve of fitness to meet extraordinary physical demands.²⁵

(3) Current Training Requirements:

(a) Basic Combat Training:

1. The "training notes" provided in ASubjSch 21-37 indicates the nature of the training that takes place during BCT. These notes include the following comment: "During basic combat training physical traits are developed to include strength, endurance, basic physical skills, confidence, aggressiveness, and team work."²⁶ Army Subject Schedule 21-37 directs that physical training periods be scheduled Monday through Friday throughout the eight-week cycle of training.

2. A review of the master schedule for basic training cross referred to appropriate portions of FM 21-20 provides information concerning the nature and duration of the blocks of physical training offered. It shows that most of the training is conducted in relatively brief periods of time, usually 15 minutes in duration. This allotment arrangement, administered in such short sessions, creates doubts as to attainment of the stated objective. In the tight scheduling process of BCT, insuring that even the full 15 minutes is allotted to physical training is often difficult. This is not to say that the trainee does not benefit from the current program but rather that he is not in fact achieving anything approaching "peak physical condition."

(b) Advanced Individual Training:

1. ASubjSch 21-37 also outlines the physical training that is received during AIT. AIT is "carefully planned to provide

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gradual progression, overload, and introduction of new physical military skills in the proper sequence. It is designed for use in all branch advanced individual training and combat support training."27.

2. AIT is oriented to providing increased endurance and stamina in the soldier. Thirty-minute periods of training are specified to provide more frequent opportunity for scheduling vigorous physical activity. Scheduling of all periods is to conform to the order and time specified, as periods are planned to maintain balance and variety in the program.

3. ASubjScd 21-37 further outlines the objective of the AIT as follows:

The 30-minute periods should be organized and supervised at company level and conducted by platoons, with each platoon under its own leadership. All platoons within a company are to be scheduled for this training at the same time. Such practice will avoid loss of vigor in execution and loss of time.

a. The objective of scheduled speed marches is to physically condition soldiers and these marches are specified for all branch AIT programs. The speed and the cadence is to be adjusted in the early marches to maintain all trainees in the formation throughout the march. Set times or distances for periods of quick and double time during these early marches are not established, but rather are based upon the physical condition of the men. Leaders are required to determine these time periods or distances during the march, keeping in mind the total required marching distance and time limitation. As physical condition improves the time standard is applied in later limitation.

b. Hand-to-hand combat as presented in BCT (ASubjScd 21-150) is reviewed and integrated with new skills of advanced hand-to-hand combat. In addition to strength development, this training aims to instill confidence and develop coordination and agility.

4. Reflection on the training that is provided during AIT indicates that it provides significantly longer periods of exercise for the soldier than does the basic schedule. Of the 25 periods of training offered, each are of at least 20 minutes duration. In fact, 11 of these periods are at least an hour in duration.

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5. An analysis of the type of training being performed, and the amount of time allocated provides a good indication of the level of readiness being attained. It is indisputable that the regimen outlined in the schedule should produce an individual who is at least moderately well prepared for the test of endurance and stamina that is imposed by internment. Thus, in respect to the requirement, the training provided to the AIT trainee comes closer to answering the requirement than does the training directed at the basic trainee. Again, while an improvement, the amount of time is such that it is difficult to determine whether it is capable of producing peak condition. The general consensus derived from questions directed to individuals who have experienced the training is that it does not achieve "peak levels" of conditioning.

(c) Officers' basic and advanced courses offer no scheduled integrated sessions of physical training.

(d) Basic Unit Training:

1. Physical readiness training is also provided during Basic Unit Training (BUT). Section IV of ASubjScd 21-37 outlines the manner in which this training will be administered.

2. As training continues through BUT the physical traits of strength and endurance developed in BCT and AIT are to be maintained and improved. Added emphasis is placed upon increasing coordination, confidence, and aggressiveness. This training is to prepare the soldier to achieve the physical readiness standards as established for his unit.

3. An eight-week program is included in this schedule. This schedule allots two hours per week and features five periods in all weeks except the first, which contains four periods. Fifteen-minute exercise drills or tables are used in all periods except the final period of each week. The final period in each week is of one-hour duration. This type of scheduling is designed to meet the principles of physical conditioning; i.e., regularity, progression, overload, balance, and variety.

4. This schedule provides frequent opportunity for running in different forms. Running, together with strength development training and skill practice, is considered to maintain physical condition at a satisfactory level with a minimum expenditure of time. The prescribed forms of running require measured distances. Speed marching is also used to meet this goal.

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5. A review of BUT training provides evidence that the requirement again is not being met. It is, however, a progression in the physical conditioning process from training to unit to combat which, if carried diligently, would provide a soldier who is in good physical condition, if not "peak physical condition".

(4) Field Manuals:

(a) FM 21-20:

1. FM 21-20, Physical Readiness Training, dated January 1969 is the basic FM. The physical activities section describes different types of drills. Included in this section are descriptions of conditioning drills, rifle and log drills, grass drills, guerrilla exercises, and running. In addition, an outline of obstacle courses, combat water survival and individual exercise programs are provided.

2. FM 21-20 presents its material in a professional manner. It covers the entire gamut from individual to group (team) exercises. It is well organized and well illustrated. It provides almost everything necessary to develop and maintain peak physical condition, if the US soldier adheres to it from entry on active duty until commitment into combat and beyond.

3. There is, however, within the constraints of doctrine for captured/detained US personnel, one area within the manual which represents a void. Many of the exercises prescribed require material or equipment which would not normally be available in the internment situation. Also, many of the exercises could not be performed in a constrained area. There is a short presentation within the manual on isometric exercises which could have applicability in this area but at least one medical opinion was rendered that such exercises may not be the most beneficial to a prisoner living in the restrained atmosphere of captivity.²⁹ Medical evidence supports the fact that one of the most common problems of returnees is cardio-vascular disorders. Identification within an appropriate manual of exercises which would be most beneficial to the cardio-vascular system appears appropriate.

(b) FM 21-75:

1. FM 21-75, Combat Training of the Individual Soldier and Patrolling, dated June 1967, makes reference to the need for keeping in good physical condition but the reference is in the context of preparing for combat as opposed to survival in captivity.

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2. Its advice is limited to the following:³⁰

An athlete knows from experience he must keep his body in good shape. He avoids late hours and habits which will slow him down. He has pride in himself and his team. You must do the same. Your safety, your health, and your life depend on your physical condition.

Such guidance is appropos to the internment situation but hardly sufficient in the overall assessment.

(c) FM 21-76:

1. FM 21-76, Survival, Evasion, and Escape, also provides very limited guidance on maintenance of physical condition. Its only advantage over FM 21-75 is that it does direct its comments in the context of internment:³¹

Save your strength but keep active. A walk around the compound or a few mild calisthenics keep the muscles toned. Get plenty of sleep because you will not get much rest on your way back.

2. As the primary source of doctrine for what to do while interned, the above must be considered inadequate.

(5) Comments from the Field:

(a) Trainee/Soldier Questionnaire:

1. Only one question can be directly related to the physical conditioning area. When asked to rate the six areas in order of considered importance to surviving the captive state, the majority of trainees and active duty soldiers placed physical training fifth. The only subject ranked lower was Geneva and Hague Conventions. The one exception to this was the enlisted Special Forces soldiers who placed physical training third.

2. The obvious conclusion to be drawn here is that physical conditioning is not considered of critical importance to the American soldier; or at least not as critical as first aid, SE&E, hygiene

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and sanitation, and Code of Conduct. It is conceivable that the SF response reflects the average better physical condition of the SF trooper in normal day to day operations. Being an elite unit, they stress physical training and the maintenance of good physical condition.

(b) Former Prisoner of War Questionnaire:

1. The response of the former PW's to a similar question as that posed to the trainees and active duty soldiers brought a similar response. In comparing five subject areas in order of benefit to resistance, the area of increasing emphasis on physical training was rated last.

2. The reply to the questionnaire was confirmed by actual interview of several former PW's. Major James Rowe in such an interview stated he felt that no tangible, long term benefits will be derived from the number of hours of physical training directed to the soldier. He qualified his statement by stressing the importance of preparation for internment and added that some of the physical training associated with learning parts of the body and their functions can be of very real benefit to the interned.³²

3. In one dissent, CWO-2 Malcom Loepke, a detainee of the North Koreans for four months after his helicopter was shot down, stated unequivocally that the physical training program he had engaged in prior to his period of captivity was an important factor in aiding him to meet the challenges of confinement.³³

(6) Conclusion:

The type and description of physical conditioning exercises is readily available. What is not readily available is the identification of those exercises which would be most beneficial to a prisoner in the restrained environment of captivity. Inasmuch as there is some medical opinion that certain exercises might in fact be detrimental to PW health and welfare, the identification of the more beneficial ones becomes a requirement.

c. First Aid and Primitive Medicine:

(1) Among the requirements generated by the Communist prisoner of war management principles is one which impacts upon doctrine in the area of first aid and primitive medicine: "THE AMERICAN SOLDIER MUST BE

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KNOWLEDGEABLE IN THE COMMON DISEASES AND INJURIES EXPERIENCED BY PRISONERS OF WAR AND HOW TO TREAT THEM WITHOUT THE AID OF COMMERCIALY PREPARED MEDICINES."

(2) Doctrine for training in and employment of first aid is prescribed by FM 21-11, First Aid for Soldiers, dated May 1970. It is oriented to providing the soldier with the skills necessary to meet the injuries that may be incurred while in the performance of his mission.

(3) Current Training Requirements:

(a) Army Subject Schedule 21-4 provides an outline of the first aid training currently being conducted. The objectives are outlined as follows:³⁴

Teach the soldier the basic principles and techniques of first aid in order that he may save his own life and the life of another.

Develop greater proficiency in the techniques involved in the application of the basic principles of first aid.

Maintain individual proficiency and develop group proficiency in the techniques involved in the application of the basic principles of first aid.

(b) Basic Combat Training:

1. During BCT first aid instruction is presented in both the classroom and the field. Classroom instruction deals with nine "commonly occurring medical emergencies and the life saver steps." Other instruction deals with control of hemorrhage; artificial respiration; care and treatment of open wounds; treatment of burns; treatment of shock; use of morphine, oral replacement of body fluids; treatment of fractures; and transportation of sick and wounded (practical exercises).

2. A review of the lesson (ASubjScd 21-4) for this block of BCT describes the specific subjects that are addressed. Injuries dealt with are those that most frequently occur in a battle-field situation, ranging from snake bite to severe hemorrhage. Little reference is made to illnesses or diseases and the means with which to combat them. There is no discussion of means for identification

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of the more serious disease threats to which the individual may be exposed in an internment situation, nor is there a discussion of aspects of first aid that can be defined within the general category of "primitive medicine measures".

(c) Advanced Individual Training: First aid is not a mandatory subject in AIT.

(d) Officer Basic and Advanced Training: Officers Basic and Advanced courses integrate first aid training in a block of training with field sanitation.

(4) Field Manuals:

(a) FM 21-11:

1. Field Manual 21-11, First Aid for Soldiers, dated May 1970, is the primary source for doctrine in the first aid and primitive medicine area and provides techniques that should be used by the soldier to maintain health.

2. The manual provides the basic information necessary to meet the more common medical challenges encountered in combat; i.e., measures to stop bleeding, prevent shock, apply bandages, and treat wounds, burns and fractures. It covers common emergencies such as minor burns, foreign bodies in the eye, and snakebite, but provides no information on the treatment of diseases. It makes no reference to the unique problems the PW may face in treating diseases or injuries. No discussion is provided of the impact of primitive conditions and associated limitations upon the overall first aid effort.

3. There is a section concerned with "psychological first aid" which, under ideal conditions, might be of value in an internment situation characterized by "overwhelming stress." The solutions offered by FM 21-11, however, are aimed more at a free environment where one soldier can talk it out with the patient, and by keeping him actively engaged help him forget his troubles. Such a solution would be difficult to render in the strictly controlled and continuing stressful environment of Communist internment.

4. The original requirement that the US soldier be able to treat his injuries and illnesses without professional medical assistance or supplies is not addressed in this manual. The subject of primitive

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medicine is not discussed, nor is there any reference to methods for curing or alleviating the symptoms of a disease/injury common to internment through the use of materials indigenous to the prison environment or through self-help medical practices which can be learned and used by the layman. The discussions on bandaging, splinting, and application of tourniquets are highly applicable but no less important to PW survival is the treatment of dysentery, pneumonia, beri-beri, skin fungus, boils, etc. The latter are threats to the prisoner's health and ultimate survival. The soldier must be able to overcome or at least reduce their debilitating effects. This is a major void in FM 21-11.

(b) FM 21-76:

1. FM 21-76, Survival, Evasion, and Escape, dated March 1968, is the primary source document for internment survival. Within its discussion of internment, it does not address the problems of first aid or disease prevention. It does, however, in its section on survival, address health and hygiene. That which is presented is applicable to disease prevention.

2. As indicated, what is presented within this manual is more suited to the discussion of hygiene and sanitation (see paragraph 3.a.(5)(c) above) than first aid and primitive medicine. In the majority of cases, the manual stresses the requisite steps to preclude contraction of diseases. It provides little information on what to do if those precautions fail.

3. The subject of first aid for traumatic injuries (fractures, severe cuts, burns) is not addressed. It would appear that a few of the illustrations from FM 21-11 on bandaging fractures or cuts would be appropriate in the SE&E manual.

(5) Responses from the Field:

(a) Office of the Surgeon General:

1. In an answer dated 17 March 1971 to the question, "What is the role of preventive medicine in preparing an individual to survive captivity?" the Surgeon General outlined areas of deficiency in present medical training:

Current military preventive medicine training should include the following subjects, and their increased importance during captivity should be further emphasized:

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General Physical Condition - the importance of maintaining this through physical activity, exposure to sunlight and fresh air, and avoidance of overexertion.

General Mental Condition - the importance of avoiding an idle mind and maintaining the 'will to live.'

Nutrition - the importance of maintaining an adequate food intake, even though the food may be strange and unpalatable, in order to prevent malnutrition.

Water - sources, purification, and protection.

Climate - the importance of preventing heat and cold injuries.

Personal hygiene and cleanliness including oral hygiene.

Immunizations - the importance of maintaining routine immunizations.

Respiratory Disease - prevention of tuberculosis and other diseases.

Intestinal Disease - prevention and treatment of diarrhea, intestinal parasites, and others under primitive conditions so include waste disposal methods.

Animals of medical importance - control and protective measures against insects, rodents, snakes and other animals.

The most important comment contained in this response is the statement that "the increased importance of these subjects during captivity should be further emphasized". It is critically important that this further emphasis be realized. It is not just the increased emphasis that is required but a careful consideration of the manner in which internment may demand the implementation of techniques for countering the health threat.

2. There is little doubt that internment peculiarities will necessitate changes in many of the currently practiced techniques for preventing disease. Army doctrine does not provide the requisite techniques.

(b) Trainee/Soldier Questionnaire:

1. There were six questions within the questionnaire which could be considered directly relatable to the first aid and primitive medicine areas. They are:

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a. In the area of first aid were you provided with information concerning primitive medicine? (Yes/No)

b. What diseases would constitute the greatest threat to your health while interned?

c. If interned in a PW camp without pharmaceutical medicines, how would you treat dysentery, burns, pneumonia?

d. What would you do if you saw blood in your stool?

e. If you saw worms in your stool would that indicate you were: very sick, near death, not seriously ill, you will recover?

f. Would you take pills if offered them by your captors? (Yes/No).

2. The initial response to the first question concerning instruction on primitive medicine was surprising. Sixty percent of the trainees and 30-40% of the active personnel stated that they had received such training. However, upon closer questioning, less than 5% were able to outline any specific techniques which could be effectively implemented in a PW environment. This latter discovery was more in line with what was anticipated inasmuch as there is no current doctrine in this field upon which the training could be based.

3. By an overwhelming majority, the personnel queried selected either dysentery or malaria (or both) as the greatest menace to survival. This showed an awareness of hygiene and sanitation which was not displayed in the specific questions dealing in those two areas. Those queried for the most part were aware that malaria was vector-borne and that dysentery resulted from eating tainted food or from unsanitary conditions.

4. When asked to prescribe treatment for three ailments which they might experience in captivity, in general all groups queried provided inadequate answers. Where there were adequate answers, they tended to be on the treatment of burns rather than pneumonia or dysentery, thus reflecting first aid training as opposed to primitive medicine. The subject to which the least adequate answers were given was dysentery. This particularly is significant inasmuch as dysentery is the most common serious ailment in the internment environment.

5. The two questions on foreign elements in the stool brought anticipated responses. The question of the meaning of blood in

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the stool brought almost a totally negative response (95-100%) with the exception of the SF officers, of whom only 18% could provide an adequate answer. Similarly, although not nearly as severe as the first question, 48-50% of the trainees and other enlisted men would consider themselves seriously ill if they saw worms in their stools. The airborne division and the SF officers showed far more sophistication in their responses with only 18% and 36% respectively considering the condition a matter of grave concern. The importance of these responses lies in the fact that psychological reaction to a foreign element in the stool can be very critical according to returned former PW's. Becoming mentally depressed over a non-harmful condition such as worms in his stool seriously affects the will of the PW to survive and may cause him to fall prey to a more serious disease or ailment. Blood in the stool, which normally accompanies dysentery, is only a symptom of the more serious ailment and once the dysentery is stopped, there is a good likelihood the bleeding will stop. Blood in the stool can also be a symptom of internal parasites. The significant factor is that 95-100% were unable to associate blood in the stool with anything except serious illness. They had no concept whatsoever as to how to treat such a symptom.

6. The replies to the question as to whether they would accept "pills" from their captors provided little significance except perhaps to show the relative sophistication of the various groups. Ninety per cent of the trainees and in excess of 50% of the airborne and SF enlisted men stated they would not accept pills. Seventy-one percent of the airborne officers and 91% of the SF enlisted personnel stated they would accept the pills. In the reality of life, if truly ill and afraid for one's life, it can be assumed that most, if not all, would accept medical assistance from the captor. The "it can't possibly hurt and could possibly help" attitude would most likely intervene in any decision.

7. As in the case of the other SERE and SERE-related subjects, first aid and primitive medicine were among the selections considered important in surviving internment. The composite selection for all but the Airborne officers was to place these subjects second, right behind Survival, Evasion and Escape. The airborne division officers ranked them third, behind SE&E and personal hygiene and sanitation. The significance here is that despite the relatively poor response to the questions on first aid and primitive medicine, those queried had considerable respect for the importance of the subjects in respect to internment survival.

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8. An analysis of the responses cannot help but lead to the conclusion that the US soldier is not receiving adequate instruction in a key area which, along with hygiene and sanitation, means so much to internment survival.

(c) Former Prisoners of War Questionnaire:

1. No specific question on the former questionnaire was directly relatable to first aid and primitive medicine. There was one general question in which the subject was to be ranked along with six other topical areas to assist in survival, evasion, and escape. In respect to SE&E, first aid and primitive medicine was ranked fourth, behind 3rd, greater emphasis on the SE&E geographical area, 2nd, the variation in diet and nutritional value of foods in that area, and 1st, practical exercises in SE&E.

2. There were, however, several written comments on the questionnaires or comments during interviews which were volunteered by former PW's that directly impact on the subject area of first aid and primitive medicine. Major James Rowe credited his Special Forces training in primitive medicine as being one of the most beneficial blocks of training that he received.³⁶ Major Rowe's favorable attitude toward the value of training in the area of primitive medicine has been reiterated by the majority of former prisoners. In particular, SGT Ballenger (in response to the questionnaire that was forwarded to him) listed increased training in the area of primitive medicine as second only to the need for emphasis on the geographical area in which the individual is likely to be interned. SGT George Groom indicated that of all the areas of training that demand increased emphasis, the most important is primitive medicine. Virtually, all the comments received from former prisoners indicated that primitive medicine was one of the most important areas of training. In addition, the great majority of former prisoners maintain the position that current training in the area of first aid and primitive medicine is inadequate.

(6) Conclusion:

(a) The review of doctrinal literature tends to confirm that both doctrine and techniques in the area of first aid are sufficient to provide the US soldier with the knowledge necessary to care for traumatic injuries whether incurred on the battlefield or in the captive state. However, neither doctrine nor techniques are currently available to the soldier on primitive medicine that would aid him to cure, or at least alleviate, the common diseases and skin disorders which may be anticipated in the internment environment.

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(b) The comments of the returned former PW's and the displayed lack of knowledge on the part of the trainees and active unit soldiers tends to confirm that the doctrine and techniques available are not being comprehended.

5. ~~(S-NF)~~ RISK OF CAPTURE

a. (U) General:

(1) Any evaluation of Army training programs must address the question concerning the risk of capture potential of Army personnel. The question of to whom training should be directed must be examined in light of the demonstrated need to identify "high risk" individuals and the concurrent necessity to develop training that is commensurate with the risk such specialized personnel face. The term "high risk" as it is used here refers to those soldiers whose job specialization increases their chances of capture.

(2) Obviously, there are personnel within the Army whose duties expose them to capture significantly more so than others. The disparities in risk are based on occupational skill (e.g., pilots), area of deployment (e.g., combat zone), or unit of assignment (e.g., Special Forces).

Presently, only limited efforts are being made to provide increased training for these high risk groups. The Special Forces and elite airborne units offer training exercises that integrate some SERE training; however, there are no specialized SERE schools similar to those offered by the other Services (See Appendix K).

b. (U) Risk-of-Capture Determination:

(1) In an effort to identify the risk-of-capture potential of the various duty assignments within the Army, a compilation was made of 398 Army personnel being carried in an MIA/PW status in Southeast Asia by the Adjutant General as of 1 May 1971. The following results were obtained:

(a) Pilots and Crew	41.8%
Infantry	23.1%
Special Forces	14.9%
Advisors	4.0%
Passengers and Misc.	<u>16.2%</u>
	100.0%

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(2) The MIA/PW percentages listed above readily reflect the fact that in an unconventional warfare environment such as that in South-east Asia, flight and Special Forces personnel experience proportionately high rates of capture.

(3) On the other hand, in the event of a future conflict of a conventional nature where masses of troops engage in armed conflict with established lines of battle and readily identifiable rear areas, the largest single category of PW/MIA personnel would most likely be infantrymen. Based on the numbers engaged, the other categories would be proportionately reduced. It is, then, a function of the type of conflict which governs the relative risk of capture a soldier will experience.

c. (U) Field Comments:

(1) Recognition of the need to identify and specially train "high risk of capture" personnel has come from various sources. The results of a questionnaire sent to former prisoners of war indicated overwhelming support from that group for development of programs oriented to providing increased SERE training for "high risk" personnel. Both in his reply to the questionnaire and in a subsequent interview, Major James N. Rowe, a Special Forces advisor in Vietnam and a prisoner of the Communist VC for five years stated unequivocally that, in his opinion, increased training in this area is imperative.³⁷

(2) The need for risk of capture identification and training is reinforced by Dr. Martin Orne, Professor of Psychiatry, at the University of Pennsylvania. Dr. Orne at the time of this study was a consultant to several government agencies including the Uniformed Services on matters related to PW's. In a personal interview, Dr. Orne stated a definite need existed to single out high risk personnel for special training in SERE subjects.³⁸ He contended that high risk personnel are not only more susceptible to capture but are often treated differently by the enemy due to the fact that such personnel are assumed to possess information of a critical nature, as well as being more valuable for propaganda exploitation.

(3) However, Dr. Orne conceived the infantryman as falling into a different category. Fear of capture is functional to fighting morale of such individuals and, according to his thesis, care should be taken to preserve such an attitude. It would be Dr. Orne's position that no special training on capture or Communist management principles be given to the basic soldier lest such training dissipate the individual's fear of capture.³⁹

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(4) In contrast, answers received from a questionnaire sent to CONARC for distribution to various branch schools supported the concept of specialized training. The following question was included on the questionnaire:

Is a separate course or school needed for "high risk of capture" personnel?

(5) The following pages depict the manner in which the various branch schools responded to the question. Of the 22 schools queried, 17 or 75% stated that a separate school was needed. Three (3) schools felt that there was no requirement. The dissenting schools were:

- (a) Infantry School
- (b) Intelligence School
- (c) Adjutant General School

(6) Two schools, Signal and Civil Affairs, considered the question to be "non-applicable" to them.

(7) Most of those who felt such training would be desirable indicated that the Infantry School or the Institute for Military Assistance at Fort Bragg, North Carolina, should administer the course.

d. ~~(C-NE)~~ Other Service Programs. It would be instructive at this point to acquaint the reader with a capsule view of how the other services conduct their training in the SERE area. A more detailed description is in Appendix K to this study.

(1) (U) US Navy. The US Navy provides resistance training on a graduated scale increasing the scope and number of hours devoted to it depending on the duty assignment ("risk of capture" potential) of the students. All, however, receive basic lectures which among other items are aimed at familiarizing them with the general aspects of the detention environment. The most intensive course of instruction is a 5-1/2 day exercise attended by pilots, navigators, SEALs, and critical electronics personnel. During the course of this exercise, the students are exposed to two days of classes, two days of survival and evasion, and a day and one half to simulated internment. Classroom instruction is geared to provide guidance for conduct during the latter two training programs. Emphasis is placed on the Code of Conduct, techniques to survive while

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REPLIES FROM QUESTIONNAIRE FORWARDED TO CONARC ON 29 JANUARY 1971

#1 IS A SEPARATE COURSE OR SCHOOL NEEDED FOR "HIGH RISK OF CAPTURE" PERSONNEL?

<u>US ARMY BRANCH SCHOOLS</u>	<u>Yes</u>	<u>No</u>	<u>No Comment</u>
SIGNAL - M			X
FINANCE	X		
MISSILE	X		
IMA	X		
CGS	X		
ARMOR	X		
CHAPLAIN	X		
ARTILLERY	X		
ORDNANCE	X		
AVIATION	X		
ENGINEER	X		
INFANTRY		X	
QUARTERMASTER	X		
INTELLIGENCE		X	
AIR DEFENSE	X		
SIGNAL - G	X		
CIVIL AFFAIRS			X
M.P.	X		
HELICOPTER	X		
SURVEILLANCE-ELECTRONICS	X		
TRANSPORTATION	X		
ADJUTANT GENERAL		X	

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#2 WHO SHOULD HAVE PROPONENCY FOR INSTRUCTION?

<u>SCHOOL</u>	<u>REPLY</u>
SIGNAL - M	NO COMMENT
FINANCE	JFK CENTER/INSTITUTE FOR MILITARY ASSISTANCE (IMA)
IMA	IMA/JFK CENTER
CGS	DOD
ARMOR	JFK CENTER
CHAPLAIN	INFANTRY SCHOOL OR IMA
ARTILLERY	INTELLIGENCE - S
ORDNANCE	DOD
AVIATION	AIR FORCE OR JFK CENTER
ENGINEER	"LOCALIZED TRAINING"
INFANTRY	NO COMMENT
QUARTERMASTER	INFANTRY OR JFK CENTER
INTELLIGENCE	NO COMMENT
AIR DEFENSE	JFK CENTER
SIGNAL - G	JFK OR CIA
CIVIL AFFAIRS	NO COMMENT
M.P.	INFANTRY SCHOOL
HELICOPTER	BY MOS
SURVEILLANCE-ELECTRONICS	AIR FORCE
TRANSPORTATION	AIR FORCE
ADJUTANT GENERAL	NO COMMENT

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#3 WHO SHOULD ADMINISTER TRAINING?

SCHOOL

REPLY

SIGNAL - M.	NO COMMENT
FINANCE	SCHOOLS SET UP TO ADMINISTER
MISSILE - MUN.	MILITARY INSTALLATIONS NEAR EMBARKATION POINTS
IMA	-----
CGS	AIR FORCE
ARMOR	JFK CENTER/IMA
CHAPLAIN	INFANTRY SCHOOL OR IMA
ARTILLERY	CONTRACT INSTRUCTIONAL TEAMS
ORDNANCE	DOD.
AVIATION	AIR FORCE OR JFK CTR/IMA
ENGINEER	"LOCALIZED TRAINING"
INFANTRY	NO COMMENT
QUARTERMASTER	INFANTRY OR JFK CENTER/IMA
INTELLIGENCE	NO COMMENT
AIR DEFENSE	"COMBAT EXPERIENCED" OFFICERS
SIGNAL - G.	JFK CENTER/IMA OR CIA
CIVIL AFFAIRS	NO COMMENT
M.P.	INFANTRY OR JFK CENTER/IMA
HELICOPTER	SCHOOL RELATED TO HIGH RISK
SURVEILLANCE-ELECTRONIC	SEPARATE SERVICES
TRANSPORTATION	AIR FORCE
ADJUTANT GENERAL	NO COMMENT

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evading and while interned, and identification of Communist techniques for managing prisoners of war. In the final phase, i.e., the mock internment camp, or Resistance Training Laboratory (Navy title), the trainee receives considerable physical abuse (strictly controlled) as well as verbal abuse. For much of the exercise he is kept isolated from his fellow "prisoners" and is exposed to several interrogations by skilled "interrogators". Upon completion of the course, a thorough critique is provided in which each article of the Code of Conduct is applied to the "internment" experience. The "graduated" student departs the course with a solid basic knowledge of what techniques he can expect from a Communist captor and what counter-techniques work best for him.

(2) (U) US Air Force. The US Air Force has a similar program which is graduated depending on the "risk of capture" potential of the duty assignment. Its high risk of capture course differs from the Navy's in two respects. First, there is no physical abuse in the Air Force program; and second, the student is critiqued constantly as he goes through the problem as opposed to an all-encompassing critique at the end. Like the Navy personnel, the airmen experience isolation, exposure to interrogation techniques, and indoctrination lectures. Emphasis is placed on camp organization and the need for unity among the prisoners. Like his compatriot in the Navy, the airman leaves the resistance course with a basic knowledge of what to expect if subjected to Communist management techniques.

(3) ~~(C-NE)~~ The Central Intelligence Agency. The CIA operates a "Risk of Capture" program significantly different from that conducted by any of the Armed Services. All personnel destined for foreign assignment are exposed to a low-key program consisting of a six-hour film series. Surprisingly, the films are not dramatizations, but rather an expert talking authoritatively from a podium on key aspects of internment and what the agents can do for themselves and their families prior to departure for an overseas assignment. During the course of instruction, the "students" are informed on the psychological stresses of captivity and how to minimize them, how to establish minimally essential accord with the captor so as to assure the best chance for survival, what to do to put ones personal affairs into order, what the Agency will do for the family should the agent be kidnapped/detained/captured, and how to develop a cover story. It concludes with a give-and-take film interview of agents who have been kidnapped/detained describe their experiences. This film approach emphasizes the CIA concept that the key to resistance training is not "simulated" experience, but thorough understanding of what to expect if captured, and insistence that personal affairs be in order prior to overseas assignment.

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(4) US Marine Corps. The US Marine Corps, similar to the current training program within the Army, conducts no specialized training in the SERE area. Its SERE and SERE-related subjects are conducted in the same manner as the Army.

e. (U) Feasibility for graduated training:

(1) The other services' concept of designing more intensive, thorough courses for individuals of a high risk status appears to be a logical one; however, there are inherent problems associated with Army attempts to structure such a program. Included among the problem areas are:

(a) The need for accuracy in predicting the relative likelihood of capture for individuals who differ in MOS, branch, area of assignment, type of duty required, rank and other criteria.

(b) The need to determine the exact extent or scope of what should be taught to individuals defined as being of a higher level of risk.

(c) The economic considerations which must be analyzed. Any increase in training either in hours or substance is certain to create scheduling and monetary difficulties.

(2) A primary consideration that must be made is the number of high risk elements that can be defined and whether these elements can be addressed economically through increased training. The size of Special Forces presents a clearly defined and logical target for increased levels of training; however, when considering all airborne qualified or all ranger qualified soldiers, the obvious problems inherent in attempting to direct increased SERE training at such loosely defined, large, and scattered elements become critical.

(3) Regardless of the target for increased training, the programs for such training must be so structured as to be a logical progression from the basic SERE training that each member of the Army receives. Thus, it should be in no way contradictory to that training.

(4) (U) Upon close examination, it appears the identification of high risk of capture personnel is feasible. One could logically expect that air crews, individuals who work behind enemy lines (e.g., Special Forces), and the infantryman who meets the enemy face to face on a daily basis will have a far higher exposure rate to a capture situation than the

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supporting logistical troops in the Army Rear Area or Communications Zone. As indicated in previous sections, much of the doctrine required for an increased SERE training program is lacking in current Army literature. This is a serious lack which must be corrected. Once adequate doctrine is available, it is then a problem of presenting that doctrine in the most effective and economical fashion with an intensity of coverage commensurate with the risk of capture of the target trainee.

(5) "Risk of Capture" personnel, then, logically represent the individuals who have the greatest "need to know" about what to expect upon and during capture and even more critically, how to increase their chances for surviving the ordeal.

f. (U) Conclusion:

(1) The adoption of a "higher risk--greater preparation" philosophy should never obscure the fact that those defined as low risk personnel still risk capture and should be adequately prepared for capture. Also, Army doctrine and training should be oriented toward insuring that not one soldier dies in captivity because he is unaware of a doctrinal aid which might save him.

(2) The primary purpose of this study is to develop new or revised doctrine which will materially assist the US soldier to survive captivity. It is an identification of the "what" should be taught and in some cases, "when" it should be taught. It is not within the scope to unequivocally state "how" that doctrine should be taught. The responsibility for this requirement lies with the Commanding General, US Continental Army Command, (CONARC).

(3) As part of the analysis for this study, the other service programs were reviewed in detail. Appendix K to this study provides a detailed view of how the Air Force, Navy, and Central Intelligence Agency graduate their training to encompass personnel of all levels of risk. The identification and increased training of high risk personnel is considered a matter of utmost importance to these activities. In Appendix H, Discussion/Analysis Appendix Pre-internment Phase, in the discussion of the requirement which indicates the need for the US soldier to know the Communist management techniques and how best to combat them, a recommendation is made to CONARC on which of these programs or combination thereof appear to be the best vehicle for presenting the requisite doctrine on a graduated risk of capture scale.

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6. (U) EVALUATION OF REQUIREMENTS:

a. General:

(1) Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon Department of the Army by national and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed in light of the SERE doctrine and execution which has been presented above. The objective of this section is to determine whether or not current Army doctrine in the area of SERE or SERE-related training is adequate and, equally important, whether or not the field execution of existing doctrine needs improving. Where either doctrine or execution is inadequate, recommended solutions are analytically derived in Appendix H, Pre-Internment Discussion/Analysis Appendix.

b. Communist PW Management Requirements:

(1) Requirement #1. THE AMERICAN SOLDIER MUST BE INSTRUCTED ON THE COMMUNIST MANAGEMENT PRINCIPLES AND HOW THESE ARE USED TO HIS DETRIMENT AND THAT OF HIS COUNTRY.

(a) Discussion:

1. The above requirement demands that the American soldier be provided with the means with which to resist Communist management principles. The skills necessary to successfully resist are varied and many. The Army addresses the area of resistance exclusively through reliance on the Code of Conduct. The Army program does not provide for resistance training comparable to the "training laboratory" system of the Navy and Air Force (See APPENDIX K, this study).

2. The void existing in the area of resistance training is an obvious one. There is a lack of emphasis on resistance techniques that can effectively be employed and there is no detailed doctrine available concerning the Communist techniques that must be resisted. Doctrine does not provide an outline of the management principles pursued by the Communists. There is a conspicuous absence of information concerning the specific interrogative techniques developed by the Communists, their reliance on segregation of prisoners, the nature of Communists indoctrination, and the degree to which isolation is employed to destroy the resistance of the prisoner.

3. The soldier currently is poorly informed in several other areas that impact significantly on the area of resistance. There is

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no program that provides the soldier with any concept of the steps the government will take on behalf of the individual and his family if he is taken prisoner. The implication of this void on the morale of the prisoner attempting to resist the Communists is obvious. In a similar manner, the soldier is provided with virtually no guidance as to the ramifications of expressing "peace sentiments" to his captors. This specific area receives virtually no emphasis in training. The responses to questions concerning resistance were woefully inadequate and indicated no understanding of the techniques employed by the Communists nor an appreciation of any of the methods that could be employed to combat these tactics.

4. In summary, it is apparent that the area of resistance training demands immediate attention to alleviate the serious voids that exist in the present training.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principles requirement #1.

(2) Requirement #4: THE US SOLDIER MUST BE AWARE OF THE VARIOUS INTERROGATIVE TECHNIQUES AND HOW BEST TO EVADE GIVING SUBSTANTIVE INFORMATION.

(a) Discussion:

1. This requirement is typical of the requirements generated by the manner in which the Communists treat prisoners of war. Every PW interviewed either by questionnaire or in person stated that he had been interrogated. The requirement that the US soldier understand what interrogation is, how it is used by the Communists, and what measures he can take to lessen its effect is undeniable. Also undeniable is the fact that the US soldier is not currently being taught the requisite information to gain that understanding. The scant data available in the unclassified Field Manual, FM 21-76, Survival, Evasion, and Escape is too limited for practical application. That which exists in FM 21-77A, the joint manual on SE&E, is classified and therefore not available to the average soldier. Even if it were, it, too, is far from adequate. The stated or implied guidance in both these manuals restrict answers solely to name, rank, serial number and date of birth, an unrealistic solution to a critical problem. Army training or doctrine fails to recognize that interrogation as used by the Communists does not seek military information primarily but rather acts as the instrument for breaking down initial resistance and segregating

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PW's into groups of relative exploitability. Strict adherence to the "Big Four" often works to the disadvantage of the PW. The various techniques of interrogation are used to confuse, disorient, and frustrate the prisoner. The effect of those techniques can be lessened significantly if the prisoner is aware of both the technique and the objective.

2. The last point made, that of knowing beforehand what to expect, has critical relevance to all subjects related to resistance doctrine and training. If the US soldier is properly prepared and aware of the techniques and purposes behind Communist efforts toward interrogation, isolation, indoctrination, segregation, food, medicine, and mail manipulation, and exploitation, he is far more likely to conduct himself within acceptable constraints should he become a prisoner of war. Even more important, he will be better able to cope with the situation and survive.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #4.

(3) Requirement #5. THE US SOLDIER MUST BE IN PEAK PHYSICAL CONDITION.

(a) Discussion:

1. The subject of physical fitness is addressed in the physical readiness block of training. The program for training as outlined in ASubjScd 21-37 provides a supplement to the day to day activities of the basic and advanced trainee which should create a soldier who is in good physical condition. The soldier's physical condition from then to the time of his commitment into combat is directly proportional to the amount of effort he, himself, or his subsequent unit commanders place on physical fitness programs.

2. There is, however, one major void in the soldier's physical fitness training. Nowhere is there guidance provided on what exercises may or may not be beneficial should the soldier be placed in a physically restrained (confined) area. There are exercises which provide greater benefits to the cardiovascular muscles than others and according to at least one medical expert such exercises should be stressed for the internment environment. To the contrary there are exercises which an over-eager prisoner might include which in fact would be harmful to him, and these too, should be brought to the soldier's attention.

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3. Results of the comments from the trainees and active unit soldiers when viewed in the light of the responses and commentary of former PW's indicate that although current physical training while serving with a US unit may be sufficient to maintain good physical condition, there is a lack of interest and knowledge on how to maintain that condition during captivity. The problem then is more one of providing lifesaving information, than in actually performing physical exercises during the time the soldier is preparing for combat. Just a few illustrations during the training cycle would be sufficient to inform the soldier of the type and duration of exercises to execute should he find himself a prisoner of war.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #5.

(4) Requirement #6. THE US SOLDIER SHOULD BE WELL VERSED IN ESCAPE TECHNIQUES AND HOW TO RECOGNIZE ESCAPE OPPROTUNITIES.

(a) Discussion:

1. The subject of escape is addressed primarily in survival, evasion and escape training. The material found in FM 21-76, FM 21-77A, and AR 350-225 requires revision and update inasmuch as the current doctrine presented is primarily slanted toward the conventional prisoner of war compound which housed mass prisoners in permanent camps. There is minimal discussion of escape opportunities and procedures in a more primitive or controlled environment such as that experienced by USPW's in both North and South Vietnam. The experiences of the fifteen escapees (9 USA, 1 USN, 5 USMC) have not been incorporated into doctrine for SE&E training. The escape techniques of forged passports and/or civilian clothes prescribed by the above references were of no value to the internees in the environment of North and South Vietnam. There is no intent to deny the need for prescribing E&E techniques during a conventional armed conflict; however, the unconventional environment must also receive attention. Selecting the type of environment for discussion depends on the type of conflict currently in progress or most probably expected. Without doctrine for the limited war such as that in Southeast Asia, the above requirement is not being fully met.

2. Further, there is evidence that basic and advance trainees do not retain an effective amount of information in escape and evasion. More than 50% of the trainees questioned at Fort Jackson could

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not properly answer the question "When is the best time to escape?" Even though the preponderance of them ranked SE&E training as the most important of six SERE or SERE-related subjects considered, their responses indicate that the knowledge they assimilated does not meet the requirement. There can be no question that escape and evasion are critical subjects which must be taught so that a soldier, if faced with the situation of survival in hostile terrain, will be confident in his ability to survive, evade and escape until his return to friendly control.

NOTE: Although the soldier is exposed to a field E&E situation during AIT, the entire emphasis is normally on evasion. As escape techniques and opportunities are solely classroom discussion topics, field and practical exercises cannot be evaluated. The fact that these exercises are not in the training program indicates that the soldier is not receiving adequate instruction in the techniques of escape.

(b) Finding. US Army doctrine needs minor revision.

(5) Requirement #7. THE US SOLDIER MUST BE TAUGHT EFFECTIVE MEASURES FOR EVADING CAPTURE.

(a) Discussion:

1. As a part of the AIT program prescribed by CONARC there is a six-hour block of training devoted to a field problem on evasion and escape. This program normally entails placing the trainees on an E&E course and having them work their way from a starting point to a finish point without being "captured" by "aggressor" personnel. The purpose of the exercise is to give the students a feel for the need of stealth and camouflage while attempting to evade a hostile search party. Although the prime reference document for the instructor is FM 21-76, which is predicated on World War II-type E&E environment, the opportunity for the trainee to physically pit his evasion skill in a realistic situation serves the purpose of the requirement. The duration of the exercise is not such that it requires the trainee to display his skill or knowledge in acquiring edible food as he would have to do in a true E&E situation, but it does acquaint him with evasion techniques.

2. On the other hand, training of officers in SE&E subjects varies widely depending on branch. The number of hours ranges from 24 to 0. In a reply to a questionnaire dated 29 April 1971, CONARC indicated that there is a need for uniformity among branches in SERE and SERE-related subjects. This wide disparity of training

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in a critical SERE subject among the junior officers is, therefore, contrary to both the view of CONARC and the stipulated requirement.

3. In summary, it can be said that, although training in evasion techniques for enlisted personnel appears adequate, there is a disparity in the training of their most immediate leaders, i.e., the junior officers. Army doctrine exists and appears adequate; however, field execution is not totally satisfactory.

(b) Finding:

US Army doctrine needs no revision, but supporting field execution for junior officers does not satisfy Communist management principle requirement #7.

(6) Requirement #9. THE US SOLDIER MUST BE INSTRUCTED ON THE USE OF SEGREGATION AND THE COMMUNIST OBJECTIVES IN EMPLOYING IT.

(a) Discussion. Comments made in the discussion of requirement 1 and 4 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #9.

(7) Requirement #11. THE US SOLDIER MUST BE AWARE OF THE TECHNIQUES AND OBJECTIVES OF THE COMMUNIST INDOCTRINATION PROGRAM AND WHAT INDIVIDUAL COUNTERMEASURES CAN BE TAKEN.

(a) Discussion: Comments made in the discussion of requirement #1 and #4 above are directly relevant to his requirement; hence, no further discussion will be included here.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #11.

(8) Requirement #12. THE US SOLDIER MUST BE AWARE THAT THE GOVERNMENT WILL MAKE EVERY POSSIBLE EFFORT ON BEHALF OF HIMSELF, HIS FELLOW PW'S AND HIS FAMILY DURING AND AFTER HIS INTERNMENT.

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(a) Discussion. Comments made in the discussion of requirements 1 and 4 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding:

US Army doctrine needs no revision, but field execution does not satisfy Communist PW management principle requirement #12.

(9) Requirement #14. THE US SOLDIER SHOULD BE FAMILIAR WITH THE EFFECTS OF ISOLATION AND WAYS TO COMBAT IT.

(a) Discussion: Comments made in the discussion of requirements 1 and 4 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #14.

(10) Requirement #15. THE US SOLDIER MUST BE AWARE THAT HIS SURVIVAL IS DEPENDENT ON HIS EATING, REGARDLESS OF HOW UNPALATABLE THE FOOD MAY BE.

(a) Discussion:

1. Related doctrine exists in FM 21-76, but as it addresses only identification of edible plants, fish, and animals, it does not directly address the need for a PW (or evadee) to eat whatever is available. The majority of returned PW's from Vietnam have indicated that to survive, they had to eat every scrap of food offered. Although often such food was distasteful and practically inedible, there have been no reportable incidents where USPW's were offered food which was intentionally indigestible or poisonous. Often the food, strange to the American palate and digestive tract, caused temporary intestinal discomforts but it was nourishing. If provided to the US soldier, this type of survival information could save his life. Both Major James Rowe and MSG Daniel Pitzer, indicated that they saw US prisoners of war die because they were unable to eat the rations offered them by their captors.

2. It is worth noting that the nutritional aspects of internment life was a subject recommended for additional emphasis in

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the "Former Prisoner of War" questionnaire. Obviously, the point must be made that to live while a prisoner, you must eat...as often as you can and whatever is offered. This point is not incorporated in Army doctrine.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #15.

(11) Requirement #16. THE US SOLDIER MUST BE KNOWLEDGEABLE OF THE COMMON DISEASES AND INJURIES WHICH MAY BE EXPERIENCED IN CAPTIVITY AND MUST KNOW HOW TO TREAT THEM WITHOUT THE AID OF COMMERCIALY PREPARED MEDICINES.

(a) Discussion:

1. FM 21-11 is the basic doctrinal manual in the area of first aid and primitive medicine. This doctrine is almost exclusively oriented to instruction in basic first aid techniques. There is a conspicuous void in the area of primitive medicine. Techniques designed to maintain health in a prison camp environment are not provided. In a similar vein, no discussion is provided of means to combat diseases in the absence of prepared medicines. All responses received from repatriated soldiers indicated that the gaps discussed above demand immediate consideration.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #16.

(12) Requirement #17. THE US SOLDIER MUST BE KNOWLEDGEABLE IN THE AREA OF SANITATION AND PERSONAL HYGIENE SO THAT HE MAINTAIN HIMSELF AND HIS ENVIRONMENT IN A MANNER CONDUCIVE TO GOOD HEALTH.

(a) Discussion:

1. FM 21-10 is the basic doctrinal manual which prescribes fundamentals of what the individual soldier needs to know in the area of field hygiene and sanitation. The glaring void that has been identified in this area is that none of the doctrine provided is concerned with techniques that may be employed in the prison camp environment. In a similar vein, no comment is provided concerning the

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relationship of hygienic practices to the proliferation of disease in a prison camp environment. The important implications that exist for hygiene in the area of health and disease are thus largely ignored. All repatriated prisoners have expressed the viewpoint that increased emphasis on hygiene and sanitation should be made.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #17.

(13) Requirement #18. THE US SOLDIER MUST BE FULLY INFORMED OF HIS RIGHTS AND OBLIGATIONS UNDER THE 1949 GENEVA CONVENTION RELATIVE TO PRISONERS OF WAR.

(a) Discussion:

1. There is no lack of doctrinal and implementing literature dealing with the delineation of the rights and obligations of prisoners under the GPW. The impetus, particularly in the exposition of doctrine, emphasizes the articles of the Convention rather than application. Consequently, the individual is left generally ignorant of the practical effect which the Geneva Convention could conceivably have. The rather stilted legal jargon of FM 27-10 provides a handicap for most individuals. The sketchy commentary provided in that document further clouds the matter of the Convention.

2. In nearly all the literature concerned with the GPW, the emphasis is upon according enemy prisoners of war their delineated rights and privileges. The available doctrine is not directed toward presenting the Geneva Convention as it pertains to the American soldier as a potential prisoner of war. Guidance must be removed from its general approach of presenting merely the substance of the articles of the Geneva Convention and must be transferred to stressing their application. The individual soldier must be made aware of the effect the Convention may have for him.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #18.

(14) Requirement #19. THE US SOLDIER MUST BE AWARE OF THE CONSEQUENCES THAT MAY OCCUR FROM WHAT HE SAYS OR WRITES BECAUSE OF THE

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COMMUNISTS' REFUSAL TO RECOGNIZE ARTICLE 85, GENEVA CONVENTION RELATIVE TO PRISONERS OF WAR.

(a) Discussion:

1. Current literature dealing with the nature of the Communist reservations to Article 85 of the Geneva Convention makes little effort to describe the potential effects of these reservations upon a PW. FM 27-10 includes but a single paragraph of commentary upon this subject:

In signing and ratifying GPW, several nations indicated that they would not consider themselves bound by the obligation which follows from the...provision to extend the application of the Convention to prisoners of war who have been convicted of having committed war crimes and crimes against humanity and that persons so convicted would be subject to the conditions existing in the country in question for those who undergo punishment.⁴⁰

Yet, this guidance gives no indication of the effects of the reservation upon prisoners of war. Neither pertinent subject schedule mentions the Communist reservations to Article 85. While DA Pam 27-261-2, International Law, Vol. II, mentions and explains the reservation made by the USSR, there is no description of the relationship between the reservations and the PW.⁴¹

2. The most specific guidance in regard to the effects of the Communists' reservations to Article 85 is contained in material pertinent to the Code of Conduct. In respect to Article V of the Code of Conduct, there is an explanatory note which is evidently designed to provide sufficient guidance:

Under Communist Bloc reservations to the Geneva Convention, the signing of a confession or the making of a statement by a prisoner is likely to be used to convict him as a war criminal under the laws of his captors. This conviction has the effect of removing him from the prisoner of war status

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and, according to the Communist Bloc device, denying him any protection under terms of the Geneva Convention and repatriation until a prison sentence is served.⁴²

It is evident in retrospect that little guidance exists to disclose the nature of the effects of the Communists' reservations to Article 85 of the Geneva Convention. It is necessary that the individual be made aware of the relationship between what he says or writes and the reservations to Article 85. At present, adequate guidance does not exist.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #19.

(15) Requirement #20. THE US SOLDIER SHOULD BE INSTRUCTED ON THE EXPLOITIVE AIMS OF THE COMMUNIST BLOC.

(a) Discussion. Comments made in the discussion of requirements 1 and 4 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding:

US Army doctrine and supporting field execution do not satisfy Communist management principle requirement #20.

c. National Policy/DOD Policy Requirements:

(1) Requirement #1. EVERY US SOLDIER WILL HAVE AN INGRAINED POSITIVE ATTITUDE THAT HE CAN AND MUST SUCCESSFULLY RESIST ANY ENEMY OF HIS COUNTRY.

(a) Discussion. Comments made in the discussion of Communist management principles requirements #1 and #4 in previous section are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding. See finding detailed for Communist PW management principles requirement #1 above.

(2) Requirement #4. THE US SOLDIER SHOULD BE INSTRUCTED ON HOW TO RESIST INTERROGATION, INDOCTRINATION AND EXPLOITATION.

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(a) Discussion. Comments made in the discussion of Communist PW management requirements #1, #4, #11, and #20 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding. See findings detailed for Communist PW management principles requirements #1, #4, #11, and #20.

(3) Requirement #5. THE US SOLDIER MUST BE INSTRUCTED ON HOW TO AVOID CAPTURE, EVADE DETECTION AND SURVIVE WHEN OPERATING IN AN ENEMY TERRITORY AND IF CAPTURED, HOW TO CONCENTRATE ALL HIS RESOURCES TOWARD ESCAPE BY HIMSELF AND OTHERS.

(a) Discussion. Comments made in the discussion of Communist PW management requirements #1, #6, and #7 are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding. See findings detailed for Communist PW management principles requirements #1, #6, and #7.

(4) Requirement #6. THE US SOLDIER MUST BE INSTRUCTED IN PW CAMP ORGANIZATION, TO INCLUDE A NEED FOR OVERT AND COVERT SYSTEMS OF ORGANIZATION.

(a) Discussion. Comments made in the discussion of Communist PW management requirements #1 and #9 above are directly relevant to this requirement; hence, no further discussion will be included here.

(b) Finding. See findings detailed for Communist PW management principles requirements #1 and #9.

(5) Requirement #7. THE US SOLDIER MUST BE FULLY INFORMED OF HIS RIGHTS AND OBLIGATIONS UNDER THE 1949 GENEVA CONVENTION RELATIVE TO PRISONERS OF WAR (GPW).

(a) Discussion. See discussion for Communist PW management principles requirement #18 above.

(b) Finding. See finding detailed for Communist PW management principles requirement #18 above.

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SECTION III - (U) SIGNIFICANT FINDINGS

1. GENERAL:

a. This section provides the results of the analysis of the Code of Conduct and Army SERE and SERE-related doctrine in as concise a form as possible.

b. The findings given below are the basis for the subsequent Conclusions and Recommendations found in Chapter 7, this Study.

2. FINDINGS:

a. Department of Defense has provided the Army with broad guidance on training in the Code of Conduct and Next of Kin Assistance programs and with explicit guidance on the processing and evacuation of returned USPW's. The guidance as given is adequate to permit the Army to develop appropriate implementing programs.

b. Current Army interpretation of the Code of Conduct on permissible dialogue with the captor is strict adherence to name, rank, serial number, date of birth, and matters of health and welfare. This guidance obscures the concept of "evading to the utmost of ones ability, the answering of further questions." If realistically interpreted, this provides an alternative to the captive when enduring undue stress.

c. Current Army doctrine on the internment environment is limited primarily to Code of Conduct instruction. Topical areas such as First Aid, Physical Training, Field Sanitation, and Personal Hygiene are not considered in their relation to that environment nor is there any guidance on interrogation/indoctrination resistance. Communist management principles are not considered. Existing doctrine is diffused, limited, and primarily oriented to WWII/Korea PW compound experience.

d. Current Army training on the internment environment is limited primarily to Code of Conduct and Survival, Evasion and Escape instruction. Former US prisoners of war indicate that a more comprehensive program in these subjects would have better equipped them to endure the rigors of internment. Examination shows that current US Army trainees and line soldiers possess only a limited knowledge of these subjects and are almost totally ignorant in Communist management principles.

e. The US soldier by virtue of duty assignment and level of conflict intensity is exposed to a varying risk of capture.

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f. Other Service Training Programs incorporate Code of Conduct training as a subtopic in an overall resistance training course. The composite program permits instruction on key subjects such as primitive medicine, internment sanitation, Communist PW management principles and interrogation/indoctrination resistance and is structured to account for varying degrees of risk of capture.

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FOOTNOTE REFERENCES :

CHAPTER 4 - PRE-INTERMENT

SECTION I: THE ROLE OF THE CODE OF CONDUCT

1. The US Fighting Man's Code, DOD Pam 360-522, June 5, 1967, p. 1.
2. There is no question that USPW behavior during the Korean War fostered the Code of Conduct; writers of nearly every persuasion, from Eugene Kinkead to S. L. A. Marshall, concur. See below, for a more detailed explanation.
3. "Code of Conduct for Members of the United States Armed Forces," Article I.
4. Ibid., Article II.
5. Ibid., Article III.
6. Ibid., Article IV.
7. Ibid., Article V.
8. Ibid., Article VI.
9. Education and Training: Code of Conduct, US Army, Army Regulation 350-30 (8 July 1968), p. 4.
10. Ibid.
11. "Unit Eyes Code of Conduct," Air Force Times, August 13, 1969. Contact with DOD also emphasized this notion.
12. US Congress, House, Hearings Before the Special Subcommittee on the USS Pueblo of the Committee on Armed Services, 91st Cong., 1st sess., p. 1088. (Hereinafter cited as Pueblo Hearings.)
13. Pueblo Hearings, op. cit., pp. 938-940. "This Week in Defense: Pueblo: What Went Wrong," Armed Forces Journal, (August 9, 1969). This problem was presaged by MAJ Elizabeth R. Smith, Jr., in "The Code of Conduct in Relation to International Law," 31 Military Law Review 128 (January 1966).
14. Ibid., p. 295.
15. FM 21-77A, Joint Worldwide Evasion and Escape Manual (8), dated August 1967, p. 27.

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16. Article 82, Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949. (Hereinafter GPW).
17. Ibid.
18. Article 17, GPW.
19. "Under Attack, The Military Code of Conduct," SERE Today, September 1970, p. 22.
20. Article 104, Uniform Code of Military Justice. (Hereinafter cited as UCMJ.)
21. Article 105, UCMJ.
22. Article 134, UCMJ.
23. LTC Vincet DiMaura, USAF, public address before USAF Seminar, January 21, 1971, pp. 2-3.
24. Pueblo Hearings, op. cit., p. 1684.
25. New York Times, January 28, 1954, p. 2.
26. Associated Press Dispatch, dated February 26, 1955.
27. Adm. Daniel V. Gallery (USN), "We Can Baffle the Brainwashers" Saturday Evening Post, XX (January 20, 1955), p. 227.
28. LTC Thomas H. Reese, "An Officer's Oath," 25 Military Law Review 15 (1964).
29. S. L. A. Marshall, "The Code and the Pueblo - Some Questions and Answers," Air Force and Space Digest (July 1969).
30. In addition to Burgess, the committee membership included: Gen. John E. Hull, US Army, retired, vice chairman; Dr. Frank B. Berry, Assistant Secretary of Defense (Health and Medical); Mr. Hugh M. Milton, 2d Assistant Secretary of the Army (Manpower and Reserve Forces); Mr. Albert Pratt, Assistant Secretary of the Navy (Personnel and Reserve Forces); Mr. Davis S. Smith, Assistant Secretary of the Air Force (Manpower and Personnel); Lt. Gen. Frank W. Milburn, US Army, retired, vice chairman; V. A. Longwood, retired; LT. Gen. Idwald H. Edwards, US Air Force, retired; Maj. Edson. Mr. Stephen S. Jackson, adviser; Mr. Edward Wetter, Office of Assistant Secretary of Defense, Counsel. See Pueblo Hearings, op. cit., p. 938.

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31. US Department of Defense, Defense Advisory Committee, POW - The Fight Continues After the Battle. Washington (August 1955), p. 37n. (Hereinafter cited as POW.)

32. Ibid.; pp. 18-19.

33. Executive Order No. 10631 quoted in Department of the Army, Army Regulation 350-30, "Education and Training: Code of Conduct" (U) (8 July 1968), p. 7.

34. "New Code Orders POW's To Resist in 'Brainwashing.'" New York Times, August 18, 1955, pp. 1, 8.

35. Eugene Kinkead, In Every War But One, (New York: W. W. Norton & Co.), 1959, p. 21. (*Italics added*).

36. Defense Advisory Committee, POW, op. cit., v.

37. Carter L. Burgess, "Prisoners of War: Forward," 56 Columbia Law Review 676 (1956).

38. Albert D. Biderman, March to Calumny (New York: Macmillan Company), 1963, p. 4.

39. LTC William E. Mayer (USA), "The Moral Imperative: The Survival of Freedom" Delivered before the 67th Congress of American Industry, sponsored by the National Association of Manufacturers, New York City, December 6, 1962.

40. LTC Donald L. Manes, Jr., "Barbed Wire Command: The Legal Nature of the Command Responsibilities of the Senior Prisoner in a Prisoner of War Camp," Military Law Review, Selected Reprint (1965), p. 565. See also "Under attack: The Military Code of Conduct," op. cit., p. 17.

41. Smith, Major Elizabeth R., "The Code of Conduct in Relation to International Law" Military Law Review, January 1966, p. 86.

42. POW, op. cit., pp. vi and 32.

43. R. Adm. Joseph B. McDevitt, JAGC-USN, to Hon. Otis G. Pike, Chairman of Special Subcommittee on USS Pueblo, April 30, 1969. Quoted in Pueblo Hearings, op. cit., p. 1068.

44. POW, op. cit., p. 19.

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45. Ibid., pp. 19-23.
46. US Army Regulation 350-30, "Education and Training: Code of Conduct," pp. 7-10. US Navy Department, General Order No. 4, 18 March 1957, pp. 1-3. Department of the Navy, Marine Corps Order 1510.2E, "General Military Training of Enlisted Men," 27 May 1968, Enclosure 4.
47. POW, op. cit., p. 15.
48. Ibid.
49. Ibid.
50. Ibid.
51. Ibid.
52. Ibid.
53. Ibid.
54. "Under Attack: The Military Code of Conduct," op. cit., p. 21.
55. LTC Paul E. Wilson, USMC, "The Three C's: The Code, The Convention, the Conflict," Marine Corps Gazette (April 1970). Reprinted in SERE Today (September 1970), p. 29.
56. "The Code and the Pueblo - Some Questions and Answers."
57. POW, op. cit., p. 18.
58. LTC DiMaura's address to Air Force Seminar, op. cit., p. 4.
59. "Ordeal in the Desert: Making Tougher Soldiers to Resist Brainwashing," Newsweek, XLVI, (September 12, 1955), pp. 33-35.
60. S. L. A. Marshall, "Military Affairs Analysis," Fayetteville (N.C.) Observer (March 1, 1971). See also "Under Attack: The Military Code of Conduct," op. cit., p. 21.
61. The majority of this information on the derivation of DOD Directive 1300.7 is based on LTC DiMaura's address, op. cit., pp. 4-5.
62. Department of Defense Directive 1300.7 (July 8, 1964), p. 1. (Hereinafter cited as DOD Directive 1300.7).

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63. DOD Directive 1300.7, op. cit., Inclosure 2, pp. 1-4.
64. DOD Directive 1300.7, op. cit., p. 3.
65. Ibid., Inclosure 1, p. 1.
66. Ibid., Inclosure 2, pp. 2-3.
67. Ibid., p. 2.
68. For a complete discussion of other services' interpretations of the Code of Conduct see Appendix K.
69. Pueblo Hearings, op. cit., p. 1088.
70. Quoted in DOD Directive 1300.7, Section V, p. 2.
71. "Changes Made in POW Code," Air Force Times, (October 28, 1964).
72. POW, op. cit., p. 20.
73. DOD Directive 1300.7, Section V, Paragraph B., op. cit., p. 2.
74. Smith, Major Elizabeth R., "The Code of Conduct in Relation to International Law" Military Law Review, January 1966, pp. 92-95.
75. See FM 21-13, The Soldier's Guide (August 1961), pp. 120-125. FM 21-75, Combat Training of the Individual Soldier and Patrolling, p. 69.
76. FM 21-75, paragraph 88, p. 70.
77. See FM 21-77A, Joint Worldwide Evasion and Escape Manual, Chapter 6, pp. 27-31.
78. For a more complete discussion of the other services' interpretations of the Code see Appendix K.
79. Except where otherwise noted, references in this section on Army Training are taken from AR 350-30.
80. Department of the Navy, Bureau of Navy Personnel, BUPERS 1610.9C, Training and Education Measures Necessary to Support the Code of Conduct (22 September 1964).

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81. See the testimony of Rear Adm. Joseph B. McDevitt, Judge Advocate General of the Navy, Pueblo Hearings, op. cit., pp. 939-942.
82. Executive Order 10631, op. cit., p. 1. (Emphasis added).
83. For the full text of this questionnaire see Appendix G.
84. "Prisoners of War: Foreward," p. 676. (Emphasis added).
85. LIC Reese, "An Officer's Oath," op. cit., pp. 17-18.
86. Quoted in COL Robert B. Rigg, USA (ret.), "Is the Code of Conduct Dead?" Army (March 1969), p. 62.
87. JAGJ.1960/8387, 18 May 1960. Quoted in Smith, "The Code of Conduct in Relation to International Law," op. cit., p. 89.
88. Joint Chiefs of Staff Message, 5720, "Code of Conduct and Related Matters," (9 March 1966), p. 4.
89. Army Subject Schedule No 21-15, "Code of Conduct" (20 April 1967). Section I, Paragraph 1, p. 1. (Emphasis added).
90. Ibid., Section II, Paragraph 2, p. 4.
91. Ibid.
92. For a complete discussion of the Army programs during the internment phase, see Chapter V.
93. Smith, "The Code of Conduct in Relation to International Law," op. cit., pp. 94-95.
94. George S. Prugh, "Prisoners at War: The POW Battleground," 60 Dickinson Law Review 125 (1956).
95. DOD Directive 1300.7 (8 July 1964), Section V, Paragraph B.
96. DOD Directive 1300.7 (Ch. 1, 10/1/64), Section V, Paragraph B.
97. Article 82, GPW.
98. Rigg, "Is the Code of Conduct Dead?" p. 62, Wilson, "The Three C's: The Code, the Convention, The Conflict," p. 35.

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99. For an analysis of other services' programs and attitudes see Appendix K.

100. POW, p. 15.

101. Ibid.

102. DOD Directive 1300.7, Inclosure 1, Section I, Paragraph B (3).

103. Army Subject Schedule 21-15, Appendix II, p. 7.

104. POW, p. 18.

105. Marshall, "The Code and the Pueblo," op. cit.

106. Ibid., (Emphasis added).

107. Quoted in "Under Attack, The Military Code of Conduct," p. 19.

108. Louis J. West, M.D., "Psychiatric Aspects of Training for Honorable Survival As a Prisoner of War," American Journal of Psychiatry, CXV (October 1958), p. 334.

109. DOD Directive 1300.7, Inclosure 1, Section I, Paragraph B (3).

110. DOD Directive 1300.7, Inclosure 2, Section V, p. 2.

111. POW, p. 22.

112. Army Subject Schedule 21-15, Appendix II, Paragraph 8, p. 10.

113. POW, p. 18.

114. "The US Fighting Man's Code," p. 82. (Emphasis added).

115. DOD Directive 1300.7, Inclosure 1, Section I, Paragraph B(6), p. 2.

116. Article 79, GPW. See also Smith, "The Code of Conduct in Relation to International Law," p. 115.

117. Ibid., pp. 112-113.

118. Army Subject Schedule 21-15, Appendix II, Section 3(e), p. 7.

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119. See above, pp. 15-18.
120. See pp. 22-23 above. For a complete discussion of the internment phase, see Chapter V.
121. FM 21-13, The Soldier's Guide, pp. 120-125; FM 21-76, Survival, Evasion, and Escape, p. 271.
122. FM 21-77A, Joint Worldwide Evasion and Escape Manual, p. 46.
123. AR 350-30, Section III, Paragraph 7, p. 3.
124. Army Subject Schedule 21-15, Appendix II, Paragraph 3d, p. 6.
125. AR 350-30, Section IV, Paragraph 13B, p. 4.
126. FM 21-77A, p. 37. See pp. 37-44 for discussion of PW organization.
127. AR 350-30, Section IV, Paragraph 13B, p. 4.
128. AR 350-30, Section I, Paragraph 2e, p. 2.
129. AR 350-30, Appendix A, Section IV, p. 8.
130. See FM 21-77A, Chapter 8, pp. 37-46. FM 21-77A reproduces in nearly completely verbatim fashion the information contained in FM 21-76. See Chapter 14, pp. 276-287.
131. The most authoritative FM FM 21-77A, gives an entirely superficial description of the Southeast Asia experiences, pp. 45-46.
132. See FM 21-76, p. 276, for example.
133. The inconsistent wording between AR 350-30 and DOD 1300.7 has been discussed in the text of this section. (Emphasis added).
134. AR 350-30, Appendix A, Section V, p. 9.
135. FM 21-76, Paragraph 15-2, pp. 288-289.
136. AR 350-30, Appendix A, Section V, p. 9.
137. US v Fleming, 23 CMR 7, 20-21.
138. FM 21-77A, Paragraph 7-2, p. 33.

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139. AR 350-30, Section I, Paragraph 2e., p. 2.
140. FM 21-76, Paragraph 13-1, p. 271.
141. FM 21-76, Paragraph 16-9, p. 295.
142. DA Pam 360-522, pp. 13-14.
143. FM 21-77A, Paragraph 6-5, pp. 29-30.
144. FM 21-77A, Paragraph 6-1, p. 27.
145. FM 21-13, p. 121.
146. FM 21-75, Paragraph 88, p. 70.
147. POW, p. 15.
148. See AFR 50-15, AR 350-30, USN BUPERS 1610.9C Chapter 1, and MCO 1510.2E.
149. See NAVPERS 92638A, AF1 34-10-1, NAVMC 2512 (Rev-67).

SECTION II: SERE TRAINING IN THE US ARMY .

1. Telephone communication with the specific schools 1-10 Nov 70.
2. AR 350-225, "Survival, Evasion and Escape Training," dated April 1969, p. 102.
3. Army Subject Schedule 27-1, The Hague and Geneva Conventions," dated April 1967:
4. DA Pam 27-1, Treaties Governing Land Warfare, dated December 1956, pp. 8-12.
5. AR 350-216, "Education: The Geneva Convention of 1949 and Hague Convention No. IV of 1907," dated May 1970, Section II, paragraph 5, p. 2.
6. Ibid., Section II, paragraph 6, p. 2.
7. Ibid., Section III, paragraph 7, p. 2.

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8. FM 27-10, The Law of Land Warfare, dated July 1956, Chapter 3, pp. 25-82.
9. DA Pam 27-161-2, International Law, Vol II, dated October 1962, Chapter 3, pp. 69-101.
10. FM 27-10, op. cit., paragraph 146, p. 56.
11. USMACV, Command Information Pam #14-16, dated September 1970.
12. AR 350-30, "Education and Training Code of Conduct," dated July 1968, Appendix A, p. 9.
13. FM 21-76, Survival, Evasion and Escape, dated March 1968, p. 288.
14. Ibid., p. 295.
15. FM 21-77A, Joint Worldwide Evasion and Escape Manual (J), dated August 1967, p. 27.
16. Ibid., p. 30.
17. AR 350-30, op. cit., p. 1.
18. Ibid., p. 2.
19. Ibid., p. 3.
20. Army Subject Schedule 21-3, "Field Sanitation" dated May 1969, p. 15.
21. FM 21-10, Military Sanitation, dated May 1957, Chapter 2.
22. FM 21-75, Combat Training of the Individual Soldier and Patrolling, dated July 1967.
23. Medical Service EEA response from DA Office of the Surgeon General, dated March 1971.
24. Army Subject Schedule 21-37, "Physical Readiness Training," dated September 1969, p. 1.
25. Ibid., p. 2.

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26. Ibid.
27. Ibid., p. 15.
28. Ibid., p. 16.
29. Interview with LTC Joseph R. Cataldo, MC, OTSG representative at a conference held at Fort Bragg, North Carolina on 16-17 June 1971.
30. FM 21-75, Combat Training of the Individual Soldier and Patrolling, dated June 1967, p. 49.
31. FM 21-76, op. cit., p. 273.
32. Interview with Major James N. Rowe, conducted at Fort Bragg, North Carolina on 31 March 1967.
33. Interview with CWG-2 Malcom Loepke conducted at Fort Bragg, North Carolina on 27 April 1971.
34. Army Subject Schedule 21-4, "First Aid," dated August 1969, p. 3.
35. Letter response from Office of the Surgeon General, DA, dated 17 March 1971.
36. Interview with Major James N. Rowe, op. cit.
37. Ibid.
38. Interview with Dr. Martin Orne conducted at the University of Pennsylvania, Philadelphia, PA on 8 June 1971.
39. Ibid.
40. FM 27-10, op. cit., paragraph 161, p. 63.
41. DA Pam 27-161-2, op. cit., pp. 88-89.
42. AR 350-30, op. cit.

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CHAPTER 5

(U) INTERNMENT (U)

SECTION I: FAMILY ASSISTANCE

1. **PURPOSE:** The purpose of this chapter is to review those programs and policies which have a direct or indirect impact upon the Next of Kin of missing or captured US soldiers. Primary emphasis is placed on Department of the Army activities, however those of a civilian agency, the League of Families, are briefly reviewed.

2. **GENERAL:** During the internment phase, there is little, outside of a recovery attempt, that the United States government can do for the individual prisoner of war. As was mentioned in Chapter 3, "National Policy," the government's activities are, for the most part, limited to seeking reciprocal treatment of USPW's by treating enemy PW's in accordance with the Geneva Convention of 1949. There is, however, a great deal that the US government and DA can do to alleviate some of the PW's anxieties and thus strengthen his power and will to resist. A primary concern of every PW is that of the welfare of his next of kin. By promoting comprehensive and sensitive family assistance programs, Department of the Army can assure each of its soldiers that the Army will take care of his next of kin should he become a prisoner of war. This chapter describes the programs and services currently available to the next of kin of MIA/PW personnel.

3. FAMILY ASSISTANCE PROGRAMS.

a. Family/Next of Kin Notification:

(1) Casualty Division, The Adjutant General's Office (TAGO) is immediately notified when a member of the US Army falls into a MIA/PW status. TAGO, in turn, notifies the Commanding General of the CONUS Army Area in which the Next of Kin (NOK) of that member resides. The CG delegates notification responsibility to the commanding officer of the military installation nearest the residence of the NOK. This commander appoints an individual or a team to make the personal notification of the NOK that her (his) sponsor is MIA or a prisoner of war.

(2) The individual or notification team may be selected from all personnel of the active Army (including Army Reserve advisors and ROTC instructors) on duty at Class I and II (CONUS) installations. Recruiting Service personnel, students at military or civilian schools, and Intelligence Corps personnel whose duties are such that they are not

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required to wear the military uniform are not used in the notification system. Military officers are utilized to the fullest practicable extent, but when this is not feasible, enlisted personnel in grades E-7, E-8, or E-9 are designated to accomplish notification. Whenever possible, the grade of the Army representative is equal to or higher than that of the missing or captured person.

(3) Provisions do exist for the notification of the secondary NOK. The secondary NOK consists of any person other than the primary NOK who is listed by the MIA/PW member on his record of emergency data as a person to be notified. Notification of the secondary NOK is accomplished either by personal visit or commercial telegram, whichever is the faster or more appropriate means under the circumstances. The regulation is quite explicit, however, that under no circumstances should the secondary NOK be notified prior to the primary NOK.

(4) Notification of the primary next of kin is always done in person. The notification individual or team acknowledges back through channels the accomplishment of the notification. Once TAGO is assured that notification has been accomplished personally, a confirmation telegram of notification is dispatched to the NOK.

b. Family Services and Assistance Officer (FSAO):

(1) Within 24 hours after notification has been made, the NOK receives a personal visit from an assistance officer. This officer, the Family Services and Assistance Officer (FSAO), is provided by the Army to answer personal questions of the NOK, explain available benefits, and establish communication between the NOK and the Department of the Army. Regardless of the nature of the casualty (captured or missing), the FSAO is charged by the Secretary of the Army to take every action and employ every resource to determine and satisfy the immediate and long-range needs of the NOK.

(2) It is worth mentioning the difference between the FSAO and the SAO (Survival Assistance Officer). For a number of years, the title SAO has been given to the individual appointed to assist the NOK of a deceased Service member. It remains the title for that duty, however, prior to 1971, that title was also given to the officer/NCO assigned to assist the NOK of members in a MIA/PW status. In an attempt to establish a more sympathetic and descriptive title, the term "Family Services and Assistance Officer," was developed.²

(3) Besides the difference in titles, there are significant differences in duties and NOK relationships. The needs of the NOK of:

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MIA/PW personnel are far different from those of a NOK whose sponsor has been killed. Although there are fewer administrative-type actions to be taken in the case of captured and missing personnel, the tenure and depth of the NOK/FSAO association is far greater. The SAO normally terminates his (her) association with the next of kin shortly after the deceased member is interred. The FSAO continues his (her) assistance to the NOK of a MIA/PW member until such time as that member returns to US control or is declared dead. Every effort is made to assign an FSAO who has a retention status of at least 12 months, thus reducing the turmoil and emotional impact of changing FSAO's.

(4) The FSAO may be selected from all personnel of the active Army on duty at military installations. Army Reserve advisors and ROTC instructors are also eligible for this duty. Officers are used to the fullest practical extent. When this is not feasible, enlisted personnel in grades of E-7, E-8, and E-9 may be designated as FSAO. Whenever possible the grade of the Army representative will be equal to, or higher than, that of the missing or captured personnel. Current criteria are:

(a) Field grade officer or experienced captain, or an officer of any grade who is a member of the bar of any state or who has had equivalent training.

(b) If an officer is not available, enlisted personnel in the grades of E-7, E-8, and E-9 may serve.

(c) Expected retention of not less than 12 months.

(d) Ready availability to the next of kin.³

(5) Although monitored by the Adjutant General's Office, the overall responsibility for the conduct of the program rests with the Army area or major overseas commander in whose area the next of kin resides. Actual performance is under the direct control of the commander (installation, PMS&T, NGUS or USAR advisor) to whom the Assistance Officer is assigned. Assistance Officers may be appointed to secondary NOK (see par (3) above) when there is evidence of need for such assistance. Care is taken in these cases to insure that a proper perspective is maintained, i.e., the PNOK are recipients of the primary support, and that no conflicting information is released to the primary and secondary Next of Kin.

(6) The action-type assistance rendered to the NOK of MIA/PW members is generally limited to obtaining emergency financial help, obtaining required legal assistance, assuring the MIA/PW member's allotment

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is operational, assisting in household relocation, and insuring full understanding of all benefits and entitlements authorized the NOK.⁴ Each of the major services or aids available to the NOK are described in more detail below.

(7) FIGURE 19 on the following page graphically portrays the notification and assistance channels. The assistance rendered by the private organizations and the Army Community Service (ACS) is covered later in this section.

4. SERVICES AVAILABLE TO THE NEXT OF KIN: The PNOK of persons missing or captured are entitled to all benefits and privileges received by dependents of any person on active duty.⁵ The more significant programs are described in this section.

a. Geographic Military Support:

(1) Responsibility for the conduct of the assistance officer function resides with the Army area and major overseas area commanders. The installation commander, however, has been directed to provide additional personal service beyond that given by the assigned FSAO. It is within his prerogative to offer (and/or influence) a number of conveniences and expressions of interest to families in the area surrounding his post; for example, invitations to be his guest at regular luncheons; the extension of the free use of childcare centers to mothers of small children; honorary memberships in officer, noncommissioned officer, and enlisted men's clubs to primary next of kin; seats of honor and active participation in formal post observances (Armed Forces Day, dedication of new post facilities), information programs, religious remembrances in post chapels, the installation's Army Community Service Center facilities; and special efforts by the post Civilian Personnel Officer (in concert with local employers) to find suitable jobs for family members in need of work.

(2) Many of the families of missing and captured members require some service or support which can and should be obtained at a military installation. Often, their use of these facilities varies depending upon their knowledge of the available services, eligibility for post privileges, the proximity to an installation and the availability of time and transportation required to travel from residence to installation. Due to the dispersion of NOK across the United States, it is probable that travel to a military installation is an excessive burden for many. For those who live 4-6 hours distance, installation commanders have been directed to make available on-post housing for NOK during

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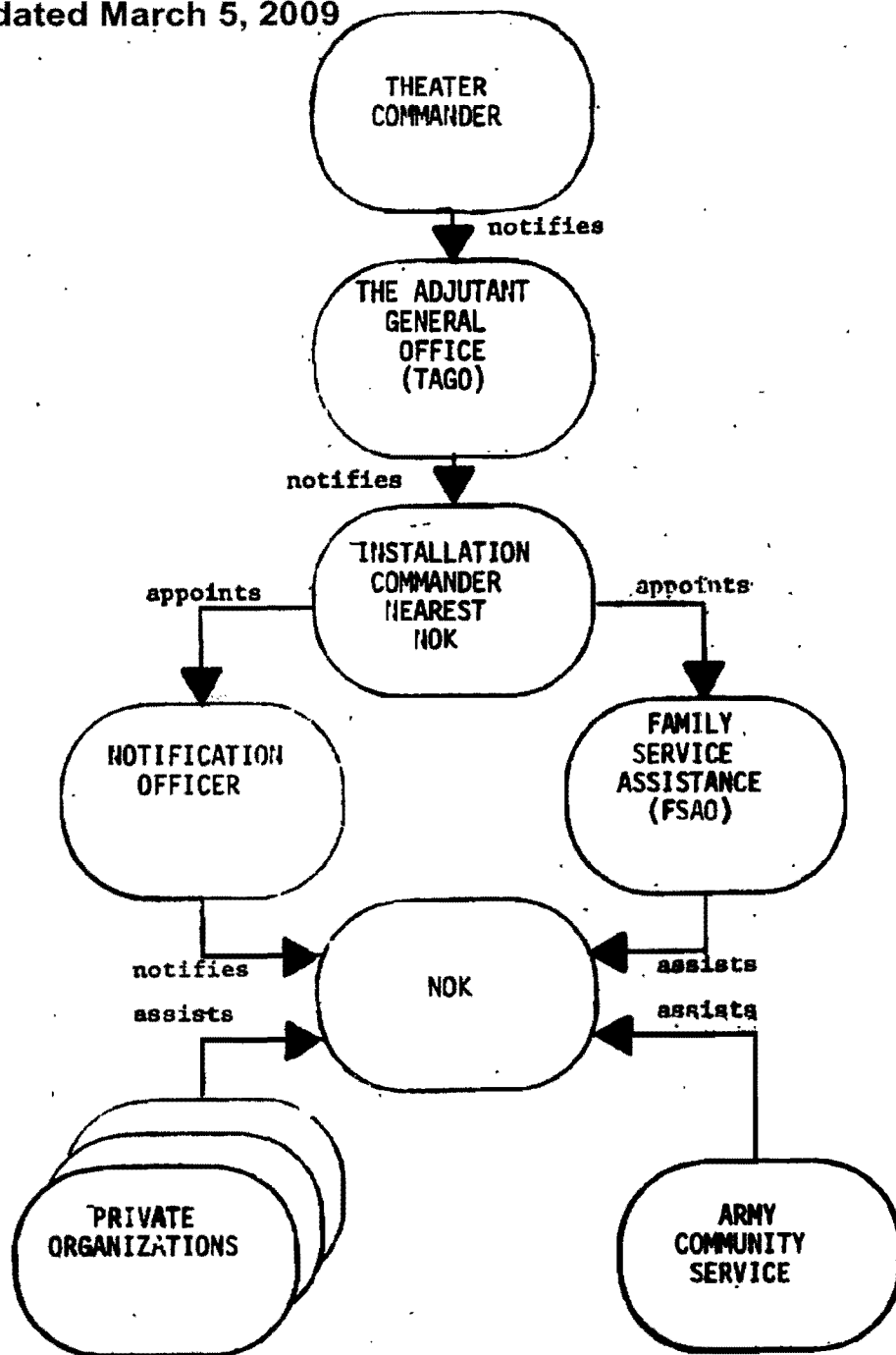


FIGURE 19: NOTIFICATION/ASSISTANCE CHANNELS FOR NEXT OF KIN (NOK)

their visit for authorized purposes. Such assistance enables the NOK to take advantage of on-post activities which they would not otherwise be able to do.

b. Medical Service:

(1) The dependents of MIA/PW personnel are entitled to complete in-Service medical care. This includes hospitalization, outpatient treatment and services, and prescriptions filled by uniformed services facilities. As in most cases regarding dependents, all privileges are subject to availability of space and facilities, and the capabilities of the professional staff.

(2) Where Army medical assistance is unavailable, civilian medical care under the provisions of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) may be used. CHAMPUS is a program under which beneficiaries may receive a wide range of civilian health care services with a significant share of the cost paid by the government. Total cost of such services is monitored by the US government. In determining if a charge is reasonable, the government takes into account the customary charges made by the physician and the prevailing charges of other physicians in the community for similar services. The current cost-sharing program for dependents of members in a MIA/PW status is:⁶

(a) In-patient Benefits: Dependent pays first \$25.00 or \$1.75 per day, whichever amount is greater, of the inpatient facility charges.

(b) Out-patient Benefits: Dependent pays first \$50.00 of expenses incurred by a patient each fiscal year (not to exceed \$100 per family) plus 20% of reasonable charges after deductible has been paid.

c. Legal Assistance:

(1) Legal assistance is provided in the nature of professional counseling for the dependents of missing and captured personnel. The assistance is available at all military installations and is inclusive of all areas which may be of concern or interest to eligible recipients (e.g. estate planning, income tax guidance, power of attorney, wills, property damage/loss claims, matters involving the Soldiers and Sailors' Civil Relief Act, and Naturalization and Citizenship).⁷ Next of Kin who reside too far from installations to conveniently visit a Legal Assistance Officer may obtain complete assistance by letter request to the Office of the Judge Advocate General.

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(2) The legal assistance program is designed primarily for the wives and unmarried legitimate, stepchildren, or adopted children of servicemen. However, also eligible are other relatives who are designated dependent upon the serviceman for over one-half of their support, e.g., parents. Legal assistance may be extended to parents of missing and captured personnel who are not dependent upon the service member but who stand as the serviceman's PNOK, if the assistance sought is involved with their son's missing or captured status or is otherwise related to the Army's family service and assistance program.⁸

(3) A legal service rendered to the service member which has direct impact upon the NOK, should that member fall into a MIA/PW status, is the drafting of a power of attorney. The execution of the standard military power of attorney mitigates an otherwise complex and often discouraging problem for the NOK. Most Powers of Attorney made out by servicemen prior to their departure from CONUS have a specified expiration date. Normally this creates no problem since when the service member discovers he will be separated from his family longer than originally anticipated, he can take action to extend the expiration date. However, should he become missing or captured, the holder of the power of attorney is unable to transact the pertinent action. Taking this possibility into account the standard military power of attorney contains a provision for the automatic extension of the power until such time as the serviceman returns to US control. The problem arises when a service member executes a civilian power of attorney which fails to contain such a provision. The next of kin is then powerless to transact any business which concerns the tangible property covered by the power of attorney once that power of attorney expires.

(4) During 1970, a bill (S-3795) was introduced in Congress which would have extended the validity of Powers of Attorney executed by MIA/PW servicemen. This bill passed the Senate, but was later voted down in the House of Representatives. The problem of expired powers of attorney continues to exist.

d. Education:

(1) The primary concern of both the Service and the next of kin is that the child/children of the service member receive full, uninterrupted opportunities for the best possible education. Regardless of whether the family resides on post or in a civilian community in the United States, schooling at the elementary and secondary levels is guaranteed. Overseas, children enrolled in Department of Defense Dependents' Schools (or in tuition-free schools at government expense), at the time the sponsor enters a missing or captured status, are en-

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titled to remain in the school for as long as the status continues.⁹ In addition, families may move overseas and the children can receive education in DOD overseas schools.

(2) The Department of the Army, in agreement with the National Merit Scholarship Corporation (NMSC), offers US Army Merit Scholarships and US Army Special Scholarships to eligible, college-bound, minor dependents of military personnel on active duty in the Army.¹⁰ These scholarships are supported by Army Central Welfare Funds and provide financial assistance for 4 years of undergraduate study leading to a bachelor's degree at any accredited college or university in the United States. US Army Merit and Special Scholarships range from \$100 to \$1,500 per year for 4 years depending upon the individual student's financial need as determined by the NMSC. Dependent students who wish to be considered for these scholarships must take the National Merit Scholarship Qualifying Test in the calendar year prior to completion of high school.

(3) Effective the second semester of school year 1970-71, US Army Educational Assistance Loans were made available to eligible dependent children of active duty Army personnel under the provisions of the Federally Insured Student Loan Program (FISLP) as authorized by the Higher Education Act of 1965 as amended.¹¹ These loans are available to unmarried dependent children of Service personnel who graduate from high school in the summer of 1970 or later; who are enrolled and in good standing, or accepted for enrollment in a college, or vocational-technical school approved as an eligible institution under the FISLP; who are eligible for a Federally Insured Student Loan, and whose parent was or will be an Army member on active duty as of 30 November of the child's senior year in high school.

(4) Public Law 91-58A, passed by Congress of 24 December 1970, provides educational benefits to wives and children of missing and captured personnel similar to those now available to veterans' dependents under the War Orphans' and Widows' Educational Assistance Act. The bill provides for wives and children to receive up to \$175 per month for 36 months of post-high school education and training. This support is available after the sponsor has been listed as missing or captured for more than 90 days, and terminates upon the sponsor's release.

(5) The Army does not provide educational benefits to parents of military personnel. However, DA Pamphlet 352-2, Educational Scholarships, Loans, and Financial Aids, contains information which may be instrumental and profitable in assisting parents in obtaining financial assistance to reach their educational goals. This pamphlet is limited to suggestions as to where to look for student aid information and general data concerning student aid programs.

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e. Monetary Assistance:

(1) Immediately upon receipt of information that a member is reported missing in action or captured, the Finance and Accounting Officer (FAO) forwards the member's Financial Data Records Folder (FDRF) and a letter of transmittal, to Claims Division, Settlements Operations, Finance Center, US Army. The Record of Emergency Data (DA Form 41) which lists persons whom the Service member desires to receive payment will accompany the FDRF. While the member is in either a missing or captured status, all pay and allowances being earned by him prior to his absence continue to be credited to his account.¹² This includes all special entitlements peculiar either to his position (e.g., incentive pay) or duty station (e.g., Family Separation Allowance and Hostile Fire Pay), and also includes continuation of federal income tax relief. The primary next of kin receive a copy of the serviceman's military pay voucher each month from the Finance Center, US Army (FCUSA) which permits them to know precisely the complete status of the Service member's pay account.¹³

(2) Each individual on active duty is requested to specify a percentage of his monthly pay entitlement that he wishes to be paid to the designated next of kin each month should he become missing or captured. These allotments are paid until the member is returned to military control or declared deceased. Provisions exist for the dependent next of kin to obtain an increase to this allotment upon presentation of satisfactory evidence to the FCUSA that the dependents' financial status so dictates. The member's pay account must be sufficient to support the requested increase.

(3) Primary next of kin are authorized to place the amount established by the serviceman as his next of kin's allotment in Savings Deposits where it will earn the prescribed rate of interest (10%). The restriction on more than \$10,000 in Savings Deposits drawing 10 percent interest was removed in February 1970 by legislative action for missing and prisoners of war personnel.¹⁴ Appropriate withdrawals from this account are authorized under emergency conditions. Dependent next of kin now also receive financial assistance, both as loans and grants, from the American National Red Cross (AMCROSS) and Army Emergency Relief (AER). Proof of need is necessary, but the field officers of these agencies have exhibited compassion and concern and have provided assistance in many cases.

(4) Serviceman's Group Life Insurance (SGLI) waiver or policies (\$5,000, \$10,000, or \$15,000) in effect at the time the individual enters into a missing or captured status remain in force during his absence.¹⁵ In order to maintain this benefit, the monthly premium payments continue

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to be deducted from the pay account. By legislation, only the serviceman may direct a change to the provisions of his policy,¹⁵ i.e., only he can start, stop, increase or decrease the insurance, designate beneficiaries, and designate settlement options.

(5) Seven states have enacted legislation which authorizes the payment, from state revenues, of varying amounts of money to active duty military personnel who have served in Vietnam. An examination of these bills establishes that the entry of a serviceman into a missing or captured status does not cancel his eligibility for the bonus being offered by his home state, but neither do these bills provide that an individual other than the member himself may make application for payment.

(6) Upon the return to US control a former captive is authorized a payment of \$5.00 for each day of captivity. This pay entitlement is for the purpose of providing compensation for:

(a) Failure to receive the quality or quantity of food prescribed by the Geneva Convention of 12 August 1949.

(b) The failure of the captive force to meet the conditions and requirements outlined by the Convention with respect to labor of prisoners and inhumane treatment.¹⁶ This entitlement is not intended as a means of financial assistance or relief to the individual's family prior to his return to duty.

(7) When a 12-month period (from starting date of absence of a member missing or captured) is about to end and the member has not been officially reported dead, imprisoned, or interned, the case is reviewed.¹⁷ After this review or following any later review warranted by information received or other circumstances, the commanding general of Finance Center:

(a) Directs continuance of the member's missing status, if the member may reasonably be presumed to be living, or

(b) Makes a finding of death.

(8) When a member is continued in a missing status following the aforementioned review, he is entitled to have pay and allowances credited to his account in the Soldier Deposit Program on a monthly basis.

(9) Army Emergency Relief (AER) was authorized as a perpetual, nonprofit corporation on 5 February 1942, pursuant to provisions of Title 5 of Chapter 5 of the Code of the District of Columbia, to collect.

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and hold funds and to relieve distress of personnel of the Army and their dependents. AER offers two forms of monetary assistance, loans and grants. Assistance extended in the form of a loan is without interest. Repayment normally is made by Class E Allotment in small monthly installments in order not to cause hardship. A grant will be made whenever it is evident that repayment would cause undue hardship. AER is charged with rendering emergency financial assistance to members of the Army on active duty and their dependents, provided such assistance does not conflict with or duplicate the financial assistance program of Army Relief Society (ARS) and/or the American National Red Cross. The NOK may receive assistance for:

- (a) Nonreceipt of pay allotments or allowances.
- (b) Loss of pay or other personal funds.
- (c) Emergency medical, dental, and hospital expenses.
- (d) Privation of dependents due to emergencies not covered elsewhere.

f. Housing:

(1) Dependent next of kin are authorized to apply for and be assigned occupancy in government owned and leased housing while their sponsor is in either a missing or captured status. Action on these requests is taken by the installation commander under whose control the desired housing falls, and is dictated by quarters availability.

(2) A determination is made at the end of 1 year and 1 day concerning the sponsor's status under the provision of paragraph 3-30, AR 600-10 (Boards of Inquiry for Missing Persons).

(3) If the sponsor remains in a "missing in action" status, the family is permitted to remain in quarters until such time as there is a change in the sponsor's status.¹⁸ Families on the waiting list for on-post quarters at time of sponsor's status determination, which may occur when a sponsor is TDY from his permanent station to a combat zone, will be permitted to remain on the active waiting list and be assigned quarters when the sponsor's name reaches the top of the list.¹⁹

g. Transportation. Next of kin who are dependents of missing and captured personnel are authorized use of military air transportation in CONUS on a space available basis for humanitarian reasons. Examples of authorized travel by this program are: (1) to visit immediate family

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members, (2) to visit primary NOK of other missing and captured servicemen, and (3) for consultation on problems which are derived from or associated with the individual's status as the dependent of a missing or captured member. Travel for personal financial gain to engage in business affairs, such as a sales activity or vacation-type travel, is not permissible. To qualify for travel privileges, dependent next of kin are defined as parents who have been determined to be dependent upon the missing or captured serviceman, and the wives and minor children of these serviceman. Wives and minor children are permitted to travel space available via Military Airlift Command aircraft to and from overseas areas for the same humanitarian purposes as travels authorized within CONUS.

h. FIGURE 20 on the following page provides a synopsis of the Army programs for assisting the next of kin of MIA/PW personnel.

5. DISPOSITION OF PERSONAL EFFECTS OF MISSING/CAPTURED PERSONNEL:

a. Inventory of Effects: Under the provisions of AR 600-65, when a soldier is officially reported missing or captured, the commanding officer having control of his personal effects will secure them and prepare an inventory of the effects on DA Form 54. The personal effects are then shipped from the unit to the Control Collection Point, Personal Property Depot, in country, to be held 60 days on the possibility of the individual's release, recovery, or change of status to killed in action (KIA). After 60 days the personal effects are shipped through registered mail to the NOK. Household goods (hold baggage) too large to be sent through mail channels is put into transportation channels for shipment to the NOK.

b. Notification to Person Receiving the Effects: Upon delivery or shipment of effects, a communication is delivered or mailed to the person receiving the effects, conveying information that delivery or shipment of the property does not in any way vest title in the recipient, but that the property is delivered or forwarded for retention or disposition to the custodian in accordance with the laws of the State (or territory, possession, or country) of the missing/captured person's legal domicile. In the case of shipment, the communication will also state the date and method of shipment and anticipated date of arrival.²⁰

6. ARMY COMMUNITY SERVICE:

a. The Army Community Service (ACS) program was announced by the Department of the Army on 25 July 1965, but it did not become fully operative until 1966. This program is intended primarily to provide Army

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ASSISTANCE TO
THE NEXT OF KIN

PRINCIPAL US ARMY PROGRAMS

ADVISORY	Notify NOK of status by active military personnel Appointment of an assistance officer to advise and assist NOK of PW/MIA personnel
MONETARY	Provide military personnel with option to specify percentage of monthly pay to be paid to NOK should he be in a PW/MIA status Permit deposit of excess pay into Soldier's deposit; amount may exceed \$10,000 limit
MEDICAL	Provide dependent NOK usual on-post medical treatment NOK authorized civilian medical care under the provisions of Civilian Health and Medical Programs of Uniformed Services (CHAMPUS)
HOUSING	NOK entitled to government owned or leased facilities while sponsor is PW/MIA Provide on-post guest facilities for shopping convenience for NOK living beyond commuting distance to installation
EDUCATION	Provide loans, grants, and scholarships
TRANSPORTATION	Provision for military air transportation in CONUS for humanitarian reasons Movement of household goods to site selected by NOK
PERSONAL INFORMATION	Monthly TAGO letters containing reports and comments on MIA/PW status
LEGAL	Provide legal assistance by Judge Advocate

FIGURE 20. SERVICES PROVIDED THE NOK OF MIA/PW's

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personnel and their dependents with Social Welfare services which would normally be available to them as civilian members of a community. The extent of the programs and activities offered at military installations is dependent upon the resources available, the number of families involved, and the needs of those families.

b. The United States has been divided into geographic areas for ACS support. There are, however, 18 States which currently have no active ACS program. Army families residing in these States can, upon request, receive support from the American Red Cross or if available, support from Air Force, Navy, or Marine Corps Family Service activities.

c. At the installation level, the Army Community Service activities are divided into three major functions, and are headed by an Officer-in-Charge who serves as chief advisor and monitors the entire ACS operation. The three major functions are:

(1) Personal Counseling: The Office of the Social Worker serves as a counselling agency to relieve personal problems and to direct the dependent family to the proper agency for further assistance.

(2) Volunteer Activities: The Volunteer Coordinator organizes and directs the post volunteer projects. These post projects or committees provide assistance for the handicapped dependent; supply emergency food, clothing and household wares; and give information concerning post services and other dependent benefits available.

(3) Finance Counseling: The Debt Counselor or Finance Management Officer assists the dependent family in setting up a financial budget which conforms to the immediate needs and income of the family. He provides guidance on how to cut food costs, clothing bills and general living expenses. He also advises on transactions with credit agencies providing the dependent with an idea of what the impact a particular transaction will have on her (his) budget and financial status. All recommendations are made only as suggestions and it remains with the dependent family to accept or reject them as it sees fit.

d. A few of the larger ACS Centers have volunteer committees (Casualty and Condolence) that are organized with on-call personnel available to assist Survivor Assistance Officers and/or Family Services and Assistance Officers in their duties. Generally, two volunteers will visit a family upon the SAO/FSAO's request and provide emotional support, tend the children, prepare meals, and give "Army wife to Army wife" attention.

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e. The ACS Waiting Wives Committees are adaptable vehicles to provide services to next of kin of MIA/PW personnel.²¹ Personal visits, telephone calls, invitations to distaff functions, monthly ACS newsletters, community service work, and similar activities are personal ways used to extend the Army community's interest in the NOK's welfare.

7. PRIVATE ORGANIZATIONS-THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA:

a. The National League of Families was incorporated in May 1970 and has its headquarters in Washington, DC. Its membership is confined to the members of families of US servicemen and civilians who are missing in action or are prisoners of war. It is established as a non-profit, non-partisan organization, and is financed by the families themselves and donations from concerned individuals and institutions.

b. Although the National League of Families is not an official instrument of the United States government, it has played a significant role in USPW affairs during the conflict in Southeast Asia. Its primary effect has been to bring the plight of the USPW being held by the Vietnamese Communists to the public. The League feels its success in this endeavor was a major factor in creating the substantial increase in mail from the USPW's to their NOK during the winter of 1970 and the spring of 1971.

c. The objectives of the League are three-fold:

(1) Secure humane treatment for PW's as outlined in the Geneva Conventions of 1949 and as recognized by general humanitarian standards.

(2) Stimulate continuing world concern about the fate of the men and the plight of their families.

(3) Improve dissemination of information concerning the MIA/PW problem not only to the press and to the families of the missing and captured men, but to the highest agencies of the government.

d. In order to accomplish these objectives, the League has conducted several campaigns and programs. A few of the major programs have been:

(1) A national billboard information program professionally produced and supplied to League State Coordinators for distribution to local communities.

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(2) A national and foreign news media campaign beamed essentially at newspapers and magazines, but encompassing other news media as well.

(3) Development of a strong "Speakers Bureau" to assure that the most effective and articulate members of the League are afforded every opportunity to address civic and other groups interested in learning about the PW issue.

(4) Publication of a monthly newsletter for the benefit of League members. Its aim will be to improve dissemination of news about all activities of concern to MIA/PW families, thus bolstering their morale and, more importantly, giving them new opportunities to become involved in current activities.

e. The League of Families is an ad hoc organization which, because of its objectives and strong influence on public opinion, has gained unofficial backing from the US government. The main efforts of the League are directed at the present war in Southeast Asia and the US Serviceman held prisoner. After the return of the USPW's held in that area of the world, the League is not expected to be an instrumental organization working to solve USPW problems in future conflicts in other geographic areas. Its success however, more than likely would cause a similar organization to be formed should such a conflict occur.

8. CIVILIAN CONSULTANT:

a. In an effort to establish greater communication between primary next of kin and the Adjutant General, a temporary civilian consultant position was established in 1971. The consultant was charged with resolving complaints by the NOK in regard to the care and assistance being received and other situations which required immediate, thorough, and discrete handling.

b. The consultant was selected by virtue of her energy and enthusiasm and because she was the mother of a son listed as missing in action. Having suffered the anxieties of such a tragedy, and experienced insensitive handling of the case, she was able to establish a rapport with the NOK of PW/MIA personnel. The fact that she was, in effect, "one of them" was invaluable to the relationship which she was able to maintain.

c. The civilian consultant had four principal missions to accomplish:

(1) Provide a sympathetic ear to the NOK in hopes that ventilation of the grievances would of itself resolve the problem.

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(2) Discuss issues which were unique or peculiar to the particular Next of Kin.

(3) Obtain any suggestions for concepts which might improve the Army's NOK Assistance Program.

(4) Accept and carry back to TAGO any questions which required official answer.

d. The civilian consultant contract terminated in July 1971. A considerable amount of worthwhile feedback from the NOK as to how they were being treated and how they thought they should be treated was obtained through this unique position.

6. EVALUATION OF REQUIREMENTS:

a. Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon Department of the Army by National and Department of Defense (DOD) policy (Chapter 3).

b. The objective of this section is to determine whether or not current Army doctrine in the area of Family Notification and Assistance is adequate and whether or not the field execution of existing doctrine is satisfactory. Where either doctrine or execution or both are inadequate, remedial alternatives are presented in Appendix J, Discussion/Analysis Appendix, culminating in recommendations for new or revised doctrine where appropriate.

c. Communist Management Principles Requirements. The Communist management principles generate no requirements in the area of Family Notification and Assistance.

d. National Policy/DOD Policy Requirements:

(1) Requirement #10:

IN THE EVENT A US SOLDIER BECOMES MISSING IN ACTION OR CAPTURED WHILE ON ACTIVE DUTY, HIS NEXT OF KIN MUST BE NOTIFIED AS PROMPTLY AS POSSIBLE IN A DIGNIFIED, HUMANE, AND UNDERSTANDING MANNER.

(a) Discussion:

1. Although AR 600-10 and the Deputy Chief of Staff for Personnel Memorandum (23 Nov 70) preestablishes procedures and

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responsibility to insure prompt notification of the NOK, there is no doctrine per se in this area. Within the guidelines set forth by these directives, an individual or notification team makes notification to the primary NOK by a personal visit. These regulations lack explicit guidance as to the actual composition and selection of the notification team (i.e., chaplain, doctor, FSAO, or ACS volunteer). These regulations also fail to initiate a plan to examine the psychological and physical condition of the NOK to assure notification doesn't inflict undue strain.

2. The requirements for selection of notification personnel as mentioned on page 5-2 (military officers are utilized to the fullest practicable extent . . . , and the grade of the Army representative will be equal to or higher than that of the missing member) lacks explicit guidance for selection, therefore placing the responsibility entirely upon the installation casualty branch.

(b) Finding:

US Army doctrine and field execution do not satisfy national/DOD policy requirement #10.

(2) Requirement #12:

AN ASSISTANCE OFFICER MUST BE MADE AVAILABLE TO THE NEXT OF KIN OF A CAPTURED/DETAINED US SOLDIER WITH THE TASK OF PROVIDING GUIDANCE AND ASSISTANCE TO THE NOK IN MATTERS RELATED TO THE SERVICEMAN'S STATUS. CONTACT BETWEEN THE NOK AND THE ASSISTANCE OFFICER WILL BE MAINTAINED UNTIL THE CASE IS RESOLVED..

(a) Discussion:

1. The responsibility for the conduct of the FSAO program rests with the Army area or major overseas commander in whose area the next of kin resides. The actual performance is under the direct control of the commander (installation, PMS&T, NGUS or USAR advisor to whom the FSAO is assigned). Again as in Requirement #10, there is no formal doctrine on the assignment of the FSAO; however, guidance for their assignment is contained in AR 600-10.

2. AR 600-10 and the Deputy Chief of Staff for Personnel Memorandum give explicit guidance to the qualifications (i.e., rank, MOS, expected retention and availability to the NOK) necessary for FSAO appointment.

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3. Although TAGO has established specific guidelines for the selection of qualified FSAO's, it leaves the actual briefing, training and supervision to the installation casualty branch involved:

4. The Civilian consultant (Mrs. Iris Powers) stated in a conference held 6 May 1971 at Fort Bragg, North Carolina, that current services available to the NOK of missing or captured Army personnel were sufficient, but variation in the training and emphasis placed in the FSAO program had caused major discrepancies. Mrs. Powers also stated that, in addition to the insufficient training of FSAO's, four major problems had surfaced during her visit with more than 700 NOK of the 444 soldiers listed by the Army as missing or captured. The problems included:

a. Lack of written material listing specific services available to the NOK of Army personnel MIA or captured. Currently, a large percentage of the information concerning assistance to the NOK of MIA or PW is extracted from material covering deceased or retired personnel.

b. Lack of emphasis placed during Basic Individual Training and Advance Individual Training on services available to the NOK of missing and captured personnel.

c. Time limitation and legal restrictions placed on the NOK in the execution of the Power of Attorney. The defeat of bill S-3795, which would have automatically extended Powers of Attorney, leaves the problem of extension to the States.

d. Lack of consideration to the NOK in the procedure for deliverance and handling of personal effects of the missing or captured member. At present, personal effects are returned through normal mail channels directly to the NOK. The return of the personal effects can be as traumatic as the initial notification and should be approached in a humane and personal manner.

(b) Finding:

US Army doctrine satisfies national/DOD policy requirement #12, but field execution does not.

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SECTION II. (U) SIGNIFICANT FINDINGS

1. GENERAL:

a. This section provides in as concise a manner as possible, the results of the analysis of the Army's efforts on behalf of the US soldier and his dependents in the event that soldier is captured.

b. The finding given below is the basis for the subsequent Conclusions and Recommendation found in Chapter 7, this Study:

2. FINDINGS: The Army programs for assisting the Next of Kin of MIA/PW's are generally adequate. Minor improvement can be made in selection criteria for notification personnel, and in selection criteria and duties of the FSAO. Command emphasis on these programs fluctuates from post to post. Direct mail delivery of personal effects to the NOK fails to account for the psychological shock such delivery causes.

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FOOTNOTE REFERENCES

SECTION I: FAMILY ASSISTANCE

1. Deputy Chief of Staff for Personnel Memorandum, 23 November 1970, subject: Meeting Between VC of SA and Mrs. Iris Powers (7 Inclosures).
2. Ibid.
3. Ibid.
4. Ibid., Inclosure No. 7.
5. Ibid., Inclosure No. 5.
6. AR 40-121, Medical Services Uniformed Services Health Benefits Program, Sep. 70, p. 5-14.
7. DCSPER Memorandum, 23 November 1970, op. cit., Inclosure No. 5.
8. Ibid., Inclosure No. 4.
9. Ibid.
10. Ibid.
11. Ibid., Inclosure No. 1.
12. Ibid.
13. Ibid.
14. Ibid.
15. Ibid.
16. DOD-Military Pay and Allowances, Entitlement Manual, part 4, Chapter 3, para 40305.
17. DCSPER Memorandum, 23 November 1970, op. cit., Inclosure No. 2.
18. AR 210-50, Family Housing, Chapter 10, para 10-18.
19. Ibid.
20. AR 643-50, Disposition of Personal Effects, p. 9, para 22.
21. DCSPER Memorandum, 23 November 1970, op. cit., Inclosure No. 3.

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CHAPTER 6 - (S) POSTINTERMENT (U)

SECTION I - (U) INTRODUCTION

1. PURPOSE. The purpose of this chapter is twofold:

a. Determine the doctrine which is applicable to the post-interment phase.

b. Determine the adequacy of that doctrine in the light of the requirements imposed by DOD.

2. GENERAL:

a. A critical time for the prisoner of war is the moment of release. Having survived a rigidly controlled environment wherein every word or act had a bearing on survival, the repatriate finds himself crossing a bridge to a freedom he is not immediately capable of perceiving. Despite the joy of repatriation, it is not unusual for a former PW to experience a feeling of fear and anxiety regarding the treatment he will receive and the suspicion he will encounter at the hands of his fellow countrymen. The fear and anxiety may have been instilled by his former captors. They may also be natural outgrowths of guilt feelings for having been captured or the effects of his long period of isolation from normal society. In many cases all three factors act to increase the apprehension of a PW on his way to repatriation.

b. The processing and screening of returned PW's must strive toward their full rehabilitation and adjustment as functioning, constructive citizens, fully capable of playing a productive role in America's democratic society. This presents the Army with both a mission and a problem.

c. Expedient integrating of repatriates back into society is important. However, processing must be sufficiently comprehensive to weed out any USPW's who had defected during their captivity to serve as enemy agents after repatriation and, more importantly, identify those individuals requiring physical or psychiatric rehabilitation. In achieving these ends, the Army cannot afford to increase the fears and anxieties of the former prisoners of war. Care must be taken to avoid "dehumanizing" the reception process. Having faced a calculating and opportunistic enemy who showed little or no compassion, it would obviously be counter productive should the ex-

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PW encounter a similar approach upon return to U.S. control. The delicate balance between the needs of the government and the needs of the individual must be identified and maintained.

3. METHODOLOGY:

a. A review of past experiences was conducted to assess the effectiveness of current plans and procedures for the handling of repatriated prisoners of war. The particular cases reviewed were Operations Little Switch and Big Switch after the Korean War and the experiences of repatriates from the conflict in Southeast Asia. Both of these cases involved Army personnel. The Korean conflict far exceeded the Southeast Asia conflict in number of prisoners captured and returned. These historical events were selected for review inasmuch as they represent occasions where U.S. military personnel were returned to U.S. control following prolonged exposure to the Communist management techniques described in Chapter 2.

b. The treatment afforded these repatriates has been divided into four major areas: Evacuation and Routine Processing, Debriefing, Medical Treatment, and Rehabilitation. Each of these areas is treated as an independent section within this chapter, and each contains a comparison of past practices with current procedures. The purpose of such comparisons is to assist in evaluating the degree to which Army doctrine satisfies the postinternment requirements levied by DOD. The findings and conclusions of this chapter are based on this evaluation of the effectiveness of current Army doctrine.

c. Related programs of other services have also been briefly reviewed. This review appears in Appendix K, Policies and Procedures of Other U.S. Armed Services.

d. It should be noted that there is no review of U.S. prisoner of war repatriation processes following World War II. The conditions under which they were interned and the national ideals and climate under which they returned were sufficiently different from Communist techniques and current values to preclude proper comparison. The more recent events of Korea and the Vietnam War provide sufficient criteria to evaluate current principles and techniques for repatriation and rehabilitation.

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~~(S)~~ SECTION II - EVACUATION AND ROUTINE PROCESSING (U)

1. ~~(S)~~ PAST PROCEDURES (EVACUATION AND ROUTINE PROCESSING):

a. (U) Korea. Although the Chinese Communists released a small number of prisoners at the front shortly after intervening in Korea in November and December 1950, the fate of thousands of Americans listed as captured or missing was not settled until 1953 at Operations Little Switch and Big Switch. The total number of UN prisoners repatriated in these operations was 13,435 of which 4,428 were U.S. military personnel.¹ Of the total repatriated, 3,323 were US Army personnel.

(1) Little Switch:

(a) Little Switch lasted from 20 April 1953 until 26 April 1953, at which time 684 UN troops were returned, of which 149 were U.S. servicemen. The overwhelming majority of these were Army.² The expressed purpose of this exchange was the voluntary repatriation of sick and wounded PW's, although it developed later that the Communist forces did not completely fulfill their part of the agreement. Many seriously sick and wounded were not repatriated until Big Switch.

(b) In early April 1953, in preparation for the PW exchange, US Marine engineers constructed what came to be called "Freedom Village" at Munsan, Korea. The village was approximately 20 kilometers from Panmunjom which was to be the point of exchange. Due to the nature of the roads, it took approximately 1-1/2 hours to cover this distance by ambulance. However, helicopters were available to airlift the more serious medical cases from the point of release to Freedom Village where competent medical attention was available.³

(c) The Little Switch agreement specified that the Communists were to return 100 prisoners a day for 6 days while the UN command was to return 500 a day for the same period.⁴ Ultimately, both sides returned more than the number agreed upon.

(d) Upon repatriation, the PW's were brought to Panmunjom where they were released by the detaining power. A roster giving name, rank, and serial numbers was presented to the representatives of the receiving power who, upon verifying it, returned the signed roster to the representatives of the detaining power.

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(e) Returned UN PW's were then taken by ambulance to Munsan. Serious medical cases were moved by helicopter; four of the first 100 repatriates, for instance, received aero-medical evacuation from the receiving point.⁵ At "Freedom Village", the repatriates were examined by doctors from the 45th Mobile Army Surgical Hospital. Clean clothing was issued, and personal processing was begun. For those judged sufficiently fit, steaks, mashed potatoes, and ice cream were available.

(f) Since the prisoners expected to be released in Little Switch were presumed to be sick and/or wounded (although this turned out not always to be the case), provisions were made to return the entire group of U.S. repatriates to the Continental United States (CONUS) by air. In fact, by 8 May 1953, 147 of the servicemen returned in Little Switch were back in the United States while only two remained in hospitals in Japan.⁶

(g) Censorship regulations were relaxed by the UN Command so that the representatives of the news media could report the names of the repatriates prior to notification of the next of kin through official channels. Press and photographic coverage of the release point was limited to a "pool" of 25 press representatives, although the number at Munsan was unlimited. Assuming the repatriates were medically and physically fit and willing, they were available at Munsan for interviews. Full press coverage was given to the repatriates in Japan and Hawaii, during their return to CONUS. However, as the suspicion grew that a high number of the repatriates were "progressives," a news blackout was enforced and an official Air Force statement issued at Travis AFB, the point of re-entry into the United States, claimed that the repatriates were "victims of Communist propaganda."⁷ The suspicion of brain-washing and collaboration established at Little Switch, was later to have a significant effect on the processing of the Big Switch repatriates.

(h) On 23 April 1953 the Department of Defense announced that all repatriates were eligible for promotion according to the same standards applied to normal active duty personnel.⁸ Later, all Big and Little Switch returnees were automatically promoted one grade.

(2) Big Switch:

(a) The duration of Big Switch was from 5 August 1953, until 6 September 1953. In this period 12,751 UN personnel were returned; 4,279 of these were U.S. servicemen.⁹ Once again, they were

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predominately Army personnel. Big Switch was to involve the voluntary repatriation of all PW's held by either side in the Korean conflict. The agreement to this repatriation was an integral part of the Korean truce which was signed on 27 July 1953. Article II of the truce agreement was entitled "Arrangements Relating to Prisoners of War." By the terms of this article all PW's were to be turned over in 60 days with priority being given to the sick and wounded who were to be returned with whatever captured medical personnel there were. Twenty-man Red Cross teams (10 representatives from each side) were to be formed to assist the PW's being repatriated on their way to the point of release.¹⁰

(b) The Communist forces agreed to turn over 400 PW's a day at the rate of 100 per hour. The UN Command was to deliver 1200 PW's per day plus an additional 360 wounded and sick per day. A provision in the agreement limited the number of ex-PW's who would be permitted at the release point at any one time. This provision and the numbers involved required the expeditious movement of the repatriates through the release point (Panmunjom) to and through the processing point (Munsan).

(c) The initial processing procedures were very similar to those used in Little Switch. Helicopter evacuation from Panmunjom to Munsan was again available to the more seriously ill and wounded UN repatriates. Those critically ill or wounded were then flown directly to hospitals in Japan.

(d) The much larger numbers involved in Big Switch required the use of sea evacuation from Inchon to the West coast of CONUS. The usual procedure was to use a troopship which was not utilized to its full capacity in order to allow the ex-PW's greater freedom of movement. For instance, 328 repatriates, accompanied by 128 medical, legal, and intelligence personnel, boarded at Inchon on 10 August; the troopship was then filled to about 10 percent under capacity with rotating troops on their way home.¹¹ The repatriates had separate living quarters from the rotating troops on-board.

(e) The processing routine followed in Big Switch was similar to that in Little Switch, except thousands, rather than hundreds, passed through Panmunjom and Munsan. Due to the increased numbers and the use of sea evacuation, holding compounds were established at Inchon where the ex-PW's waited until there was sufficient numbers of them to load onto troopships. During this layover at Inchon, the repatriates continued the processing begun at Munsan. They were able to draw partial pay and had access to PX

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facilities. The delay at Inchon gave the prisoners a chance to adjust to freedom, as well as allow the responsible authorities to begin the administrative processing, including psychiatric interviewing and intelligence conduct debriefing. This processing continued on board ship throughout the voyage to San Francisco.

(f) The repatriates were allowed one radiogram from Freedom Village to their next of kin. Those evacuated through medical channels were allowed a phone call from Japan. All calls and telegrams were at the expense of the American Red Cross.¹²

(g) As a matter of processing, the repatriates were asked if they desired to have their next of kin (NOK) meet their ship upon arrival. If desired, the arrangements were made and the expenses incurred by the NOK were borne by the US government.

(h) Upon arrival in the United States all repatriates were treated as normal medical patients and put into medical channels. Those not requiring immediate treatment were permitted to take leave to visit their NOK prior to reporting into the assigned medical facility.

(i) Press coverage of the repatriation was continuous from the point of release until boarding ship at Inchon, although official policy banned interviews with all PW's and those not desiring such interviews. Press coverage resumed upon disembarking in San Francisco.

(j) By 12 September 1953 only one repatriate remained in Korea.¹³ The rest were on the high seas or back in the United States, with a small number still retained in hospitals in Japan.

b. (C) Southeast Asia (Evacuation and Routine Processing):

(1) (U) As of 16 January 1971, there were 459 U.S. servicemen known captured in Southeast Asia. An additional 1093 were listed as missing in action, some of whom were, and are, undoubtedly prisoners.¹⁴

(2) (U) Significant differences exist between the PW situation in Korea and that in Southeast Asia:

(a) The number of U.S. prisoners who survived captivity in Korea was 4,428. This is about ten times the number known captured in Southeast Asia.

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(b) Army personnel constituted 88% of the Korean repatriates. If all known captured were released at this time in Southeast Asia, the Army percentage of repatriates would only be about 15%. This percentage would increase substantially should those Army personnel currently listed as missing in action in South Vietnam turn out to be prisoners of the VC/NVA forces. The relatively small percentage of U.S. Army personnel confirmed to be PW's is due to the fact that the bulk of known captives (378) are Naval or Air Force pilots and crewmen shot down over and interned by North Vietnam. Also, there was no mass capture of U.S. ground personnel in South Vietnam as occurred in late 1950 during the Chinese Communist intervention in Korea.

(c) While the primary means of repatriation in Korea were negotiated exchanges, as of this writing no such exchanges have yet taken place in Southeast Asia. Consequently, the return of USPW's to allied control has been due to either unilateral release by the enemy for political and propaganda purposes or the escapes engineered by the prisoners themselves. To this date there have been no forcible recoveries of USPW's although attempts have been made (including the Son Tay raid into North Vietnam on 20 November 1970). A handful of South Vietnamese personnel have been recovered in these operations, however.

(3) ~~(c)~~ The policy for processing PW's who returned to U.S. control in Southeast Asia has been, and is, based on the following guideline:

The welfare and morale of returned personnel shall be of prime importance. All reasonable efforts will be made at all stages to provide for their personal, psychological, and spiritual needs.¹⁵

(4) ~~(c)~~ Uniformity of treatment for returned personnel was the goal of the Department of Defense. The DOD PW Policy Committee chaired by the Undersecretary of Defense for Manpower and Reserve Affairs, was the instrument for insuring coordination among the services.

(5) ~~(c)~~ The commander of the unified command in the area in which captured or detained personnel were returned to U.S. control was responsible for these personnel until arrangements were made to deliver them to their parent services. Parent services had

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the responsibility for assuming control of their returned personnel, as soon as possible in order to begin the initial processing.

(6) ~~(c)~~ Personnel who were released or escaped in South Vietnam were immediately evacuated by helicopter(s) from the point where they returned to allied control. Medical considerations permitting, they were placed under the medical auspices of their respective services. Clothing, food, and medical attention were provided in accordance with the needs of the repatriates.

(7) ~~(c)~~ In January 1969, it was established that in-theater processing was to continue for no more than 72 hours unless unusual circumstances existed.¹⁶ This was considered to be sufficient time to accomplish preliminary medical, personnel, and intelligence processing. All repatriates were then to be returned to CONUS by aeromedical evacuation accompanied by escorts from their own service.

(8) ~~(c)~~ Information was made available to the press subject to the following considerations:

- (a) security requirements,
- (b) welfare of the returned personnel and their families,
- (c) the safety and interest of other personnel who may be detained.¹⁷

(9) ~~(c)~~ Prior to granting interviews to the representatives of the news media, a base line medical evaluation was performed in-theater.¹⁸ Public affairs guidance was also provided at this time in order to insure that the three considerations above were not violated.

(10) ~~(c)~~ Upon return to CONUS, and medical considerations permitting, repatriates were assigned to the service hospital of their choice. Normally they selected the one nearest their home of record and/or NOK. One round-trip visit to the medical facility by the returnee's wife, children, and two other persons at government expense was authorized.¹⁹

2. ~~(c)~~ CURRENT POLICY (EVACUATION AND ROUTINE PROCESSING):

a. (U) General:

(1) The current in-theater procedures to be followed in the reception, processing and evacuation of recovered USPW's are contained

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in COMUSMACV Operation Plan (OPLAN) Number J-190 (EGRESS-RECAP). This plan is regularly reviewed for currency on a semiannual basis. The version used in this analysis was promulgated on 13 January 1970. Figure 21 compares the processing of repatriates after Korea, with those in Southeast Asia.

(2) AR 190-25, "Captured, Missing, or Detained United States Army Personnel: Administration, Return, and Processing," provides detailed Army guidance on the overall processing of returnees, both in-theater and in Conus. This AR amplifies and expands the directives of the Deputy Secretary of Defense and serves as the official Army policy in this area. The in-theater provisions of AR 190-25 are reflected in MACV OPLAN J-190. Figure 22 details the processing of returnees from return until the completion of processing.

b. ~~(c)~~ Large Scale Repatriation.²⁰

(1) ~~(c)~~ OPLAN J-190 defines "large scale repatriation" as "more than 20 returnees from any single Service or more than 50 aggregate, or if, regardless of the number, there are indications of a continuing flow of released PW's."²¹ Under these circumstances a Central Processing Center (CPC) would be established at the Air Force Hospital at Cam Ranh Bay, RVN. Until a negotiated or tacit agreement is reached, planning would be such as to include provisions for receiving returnees at reception points throughout the military theater.

(2) ~~(c)~~ The point(s) where PW's are returned to U.S. control are designated as reception points. Prisoner Reception Teams (PRT) are to be designated by the commander of the respective corps tactical zone. One team is required for each 20 returnees. Each PRT is to contain as a minimum:

- (a) one team chief (field grade officer),
- (b) one highly qualified interpreter/intelligence specialist,
- (c) one qualified information officer,
- (d) one escort officer (if information is made available in time, the escort officer(s) should be of the same service as the returnees)
- (e) one medical officer.²²

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POSTINTERMENT PROCEDURES		K O R E A		SOUTHEAST ASIA
		LITTLE SWITCH	BIG SWITCH	
EVACUATION AND ROUTINE	Prisoner Reception	Panmunjom	Panmunjom	Wherever return to US Control occurs MACV OPLAN J190
	Evacuation from PRP to Processing Center	Air/ Ground	Air/ Ground	Air: MACV OPLAN J190
PROCESSING	Processing Center	Munsan	Munsan/ Inchon	AP Hospital at Cam Ranh Bay: MACV OPLAN J190
	Evacuation to CONUS	Air	Sea	Air: AR 190-25
DEBRIEFING	In-theater Debrief	Partial	Partial	Partial: MACV OPLAN J190
	In-route CONUS Debrief	No	Yes	No
	CONUS Debrief	Yes	No - Done on Ship- board	Yes - Extensive: USAINTC OPLAN 107-71
	Conduct oriented	Yes	Yes	Yes in initial period (AR 381-130), but modified under AR 190-25 (Nov 1969)
	Personnel Conducting debrief	CIC	CIC	MI - Counterintelligence USAINTC OPLAN 107-71
MEDICAL	In-theater examination	Baseline	Baseline	Baseline: AR 190-25
	In-route CONUS treatment	Air-Evac	Hospital ship	Air- evac: AR 190-25
	CONUS treatment	As Required	As Required	As Required AR 190-25
REHABILITATION	Special PW Rehabilitation programs	None	None	None

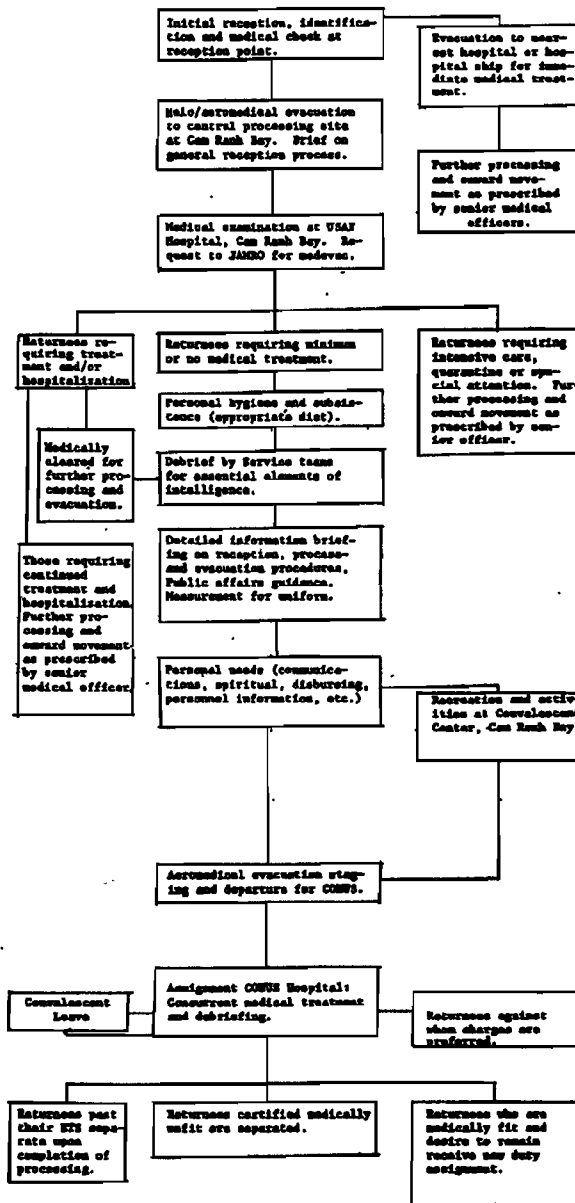
SOURCES: 1. Korea - OPMG Analysis of Little and Big Switch
2. Southeast Asia
a. AR 190-25
b. MACV OPLAN J190
c. USAINTC OPLAN 107-71

FIGURE 21. REPATRIATION PROCEDURES

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PROCESSING PROCEDURES



SOURCES: 1. MACV OPLAN J190, ANNEX AA, p. I-3-1.
 2. AR 190-23

FIGURE 22. MACV J-190 RETURNEE PROCESSING PROCEDURES

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(3) ~~(C)~~ The primary consideration on large scale repatriation will be a base line medical examination conducted at the CPC. Total time allowed for this examination, as well as additional processing, is a minimum of 36 hours and a maximum of 72 hours, unless exceptional circumstances exist.

(4) (U) OPLAN J-190 stresses that "consideration for the well-being of the returnees should be the primary factor in the processing and handling of recovered PW's.²³

(5) ~~(C)~~ News media representatives will be permitted to observe the turn-over at the reception point. However, no direct contact between returnees and news media representatives is authorized at this point. This policy parallels the Korea procedures in which a pool of reporters was allowed to observe Panmunjom, but interviews took place later at Munsan.

(6) ~~(C)~~ The medical needs of the returnee are afforded the highest priority in the processing cycle.²⁴ In-theater intelligence debriefings are limited to tactical information of immediate significance and information pertaining to personnel still detained by enemy forces.

(7) ~~(C)~~ Overall responsibility and authority for information on released PW's rests with the Secretary of State and the Assistant Secretary of Defense, Public Affairs (ASD/PA). No direct contact with the news media is authorized until both the following conditions are satisfied:

(a) Military doctors state that the returnee is emotionally (psychologically) and medically able to adapt to the rigors of such exposure.

(b) Military authorities concerned decide that the returnee processing, to include intelligence debriefing, has reached a stage where the interruption created by an exposure will not prejudice U.S. national interest or ultimate completion of processing and evaluation.²⁵

(8) (U) Next of kin notification is to take place through official channels prior to the release of the names of returned personnel to the news media. This practice was not followed at Little and Big Switch.

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(9) ~~(c)~~ During large scale repatriation, the Services will assume control of their personnel upon their arrival at the Central Processing Center (CPC). OPLAN J-190 requires that each service designate and have available a processing team(s) to receive the returnee(s) at the CPC.²⁶ There will be one team for each group of 20 returnees.²⁷ Each team will include as a minimum:²⁸

- (a) one intelligence specialist,
- (b) one legal specialist,
- (c) one medical officer,
- (d) one qualified information officer,
- (e) one personnel specialist,
- (f) one escort officer

(10) ~~(c)~~ All repatriates will be given a briefing by a public information officer of his Service. This briefing will advise the returnee as to his right to grant or not grant interviews, as well as indicate which matters are considered classified and, therefore, non-releasable. As a minimum, the following items are considered "sensitive" and are to be afforded "security protection":

- (a) Preparation for and method used in evasion from capture or escape from enemy and enemy occupied territory;
- (b) Identification of friendly personnel in areas of hostile or neutral control.
- (c) Details on procedures of enemy interrogation or political indoctrination.
- (d) Traitorous acts by U.S. personnel, criminal acts against U.S. personnel, and acts of espionage against the enemy.²⁹

(11) ~~(c)~~ All returnees will be allowed one phone call at government expense over military or commercial circuits.³⁰ Such phone calls are not to interrupt medical processing. Adverse information on changes at home in the returnee's family are to be disclosed by a service chaplain prior to the first call home. OPLAN J-190 recommends that "an identifying marker be placed in each file

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folder that contains particularly adverse information regarding the returnee's immediate family."³¹ This procedure will allow the expeditious notification of the returnee regarding changes at home and will prevent a recurrence of the incident during the Korean repatriation when a newspaper reporter told a repatriate of the death of his parents.

(12) (U) Gratuitous uniforms appropriate for public appearances will be provided by the returnee's Service.³²

(13) ~~(S)~~ A base exchange outside the CPC will be operated outside of normal duty hours for the returnees. Library and recreation facilities will also be available.

(14) ~~(S)~~ As soon as feasible, the name, grade, service, service number, date-time group of recovery, and place of recovery will be sent as IMMEDIATE precedence messages to CINCPAC and to information addresses including JCS, SECSTATE, DIA, and the Military Department and PACOM Service Commander of any service having returnees named on the report.³³

(15) (U) It is the responsibility of the Adjutant General to insure that the primary next of kin of an Army repatriate is notified of his return to U.S. control. The AG approves all telephone calls to be placed, and provides critical information with respect to the next of kin, for example, deaths or illness in the family.³⁴

(16) ~~(FOUO)~~ The meeting of the medical evacuation aircraft upon arrival in CONUS is the responsibility of the major Army commander in the area. AR 190-25 advises that "emphasis will be placed upon the fact that returnees are under medical auspices and that medical and personal needs are paramount."³⁵

(17) ~~(FOUO)~~ Each returnee upon arrival in CONUS will have assigned to him a personal escort whose function it is to assist the returnee in adjusting to freedom. This escort will handle routine matters with respect to personnel and finance procedures, as well as assisting with news media inquiries. In order to preclude the impression of involuntary restraint on the returnee, Military Police will not be used as escorts.³⁶ All assigned escorts will file an after-action report, a copy of which will be forwarded through channels to the Office of the Provost Marshal General.

(18) ~~(FOUO)~~ The criteria for selection of escorts is as follows:

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(1) Enlisted man/NCO. A mature senior noncommissioned officer having knowledge of personnel and administrative procedures. The MOS, experience, and background of the escort should be as similar as possible to that of the returnee being escorted.

(2) Officer or Warrant Officer. The escort should be of equal grade and preferably of similar background.³⁷

(19) (U) In addition to the CONUS escort, current plans call for an escort officer/NCO to accompany the returnee on his evacuation flight from Southeast Asia to CONUS. These escorts are to be selected from among those individuals at the in-theatre replacement center who have completed their in-country tour and are awaiting transportation to CONUS. Their function ceases after assumption of responsibility by the major Army Commander in CONUS.

(20) ~~(FOUO)~~ Medical considerations take precedence in the CONUS processing of returnees, although intelligence and, if necessary, legal personnel are to have access to the returnee if such is necessary for them to fulfill their own requirements. Said access is, by regulation, subject to the approval of the hospital commander.

(21) ~~(FOUO)~~ Convalescent leave up to 90 days may be granted by the hospital commander. This leave is nonchargeable and is granted in accordance with the provisions of Chapter 8, AR 630-5, "Leave, Passes, Administrative Absence, and Public Holidays." Past experience indicates that short periods of leave with periodic returns to the hospital are most effective.³⁸ AR 190-25 states that "it is not desired that returned personnel be expedited back to duty."³⁹

(22) ~~(FOUO)~~ If the returnee has passed his ETS, the responsible commander will request from TAGO, DA, the authority to retain enlisted personnel on active duty in accordance with AR 635-200. If the returnee is an officer, retention authority will be requested from the Chief of the Office of Personnel Operations (COPRO).⁴⁰ Such retention authority will be for only as long as required to complete the medical and intelligence processing.

(23) ~~(FOUO)~~ Repatriates will not be assigned to the same combat zone without the approval of HQ, DA, nor will they be assigned.

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to another combat zone without the approval of COPO. This applies to both voluntary and involuntary assignments.⁴¹

(24) ~~(FOUO)~~ COPO will see to it that all returnees have "Former PW" entered in Item 18 (Assignment Limitations), DA Form 20 and item 10, DA Form 66. All returnees desiring to stay in the Army will receive special career counseling. Special assignment requests will be honored, if at all possible, for 36 months following return to CONUS.⁴²

(25) ~~(FOUO)~~ AR 190-25 deals in depth with the treatment of next of kin in its Appendix C. The official policy for reuniting the returnee with his NOK is set forth as follows:

It is the policy of the Department of Defense and the Department of the Army to do all possible for the next of kin of captured, missing, or detained members. Upon return of such members to the United States, they should be reunited with their NOK as quickly as possible. To this end, the Secretary of the Army authorizes either reimbursement for commercial, or use of military transportation, for designated NOK living beyond commuting distance to make one round trip to visit returned personnel hospitalized in the United States, its territories or possessions. Every assistance will be extended to those authorized such travel to insure that their trip is as easy and pleasant as possible.⁴³

(26) ~~(FOUO)~~ The AR goes on to set forth such details as the priorities in naming a secondary NOK as well as giving examples of authorizations to be sent in various circumstances for government travel and/or commercial reimbursable travel.⁴⁴ The appropriate Army commander in whose area the NOK resides will issue travel orders upon being specifically authorized by Casualty Division, TAGO.⁴⁵

c. ~~(C)~~ Small Scale Repatriation:⁴⁶

(1) ~~(C)~~ OPLAN J-190 defines "small scale repatriation" as one in which the flow of returnees and/or the total number of U.S. returnees does not warrant the establishment of a Central Processing Center (CPC).⁴⁷ Furthermore, procedures applicable to small scale

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repatriation are also applicable to the recovery of U.S. personnel that return to U.S. control as a result of escape or unnegotiated release from enemy detention or imprisonment, or as a result of evasion of capture.

(2) (U) The procedures and principles of small scale repatriation are almost identical to that of large scale repatriation. Medical considerations are still paramount. A Prisoner Reception Team (PRT) will be designated for each Corps Tactical Zone; the composition of the PRT is the same as that for large-scale repatriation. (See page 6-9.) Aerial evacuation to CONUS is specified. Personnel and press policies follow the same guidelines and requirements. The provisions of AR 190-25 are also in effect.

(3) ~~(C)~~ The primary procedural difference between large and small scale repatriations essentially involves the fact that in the latter instance no Central Processing Center (CPC) is activated. Instead, returnees are taken from the reception point by the most expeditious means to one of the following medical facilities which have been designated by their respective Service:

- (a) USARV (Army) - 24th Evacuations Hospital, Long Binh
- (b) NAVFORV (Navy) - USAF Hospital, Cam Ranh Bay
- (c) III MAF (Marines) - USN Hospital, Da Nang
- (d) 7AF (Air Force) - USAF Hospital, Cam Ranh Bay⁴⁸

3. (U) OTHER SERVICE PROGRAMS - See Appendix K.

4. ~~(C)~~ EVALUATION OF REQUIREMENTS (EVACUATION AND ROUTINE PROCESSING):

a. (U) General. Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon Department of the Army by national and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed only in light of the Evacuation and Routine Processing doctrine and execution which has been presented in paragraphs 2 a, b, and c, above. The objective of this section is to determine whether current Army doctrine in the area of Evacuation and Routine Processing is adequate and, equally important, whether

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the field execution of existing doctrine requires improvement. Where either doctrine or execution or both are inadequate remedial alternatives are presented in Appendix J, Discussion/Analysis Appendix, culminating in recommendations for new or revised Army doctrine where appropriate.

b. (U) Communist Management Principles Requirements. The Communist management principles generate no doctrinal requirements in the area of Evacuation and Routine Processing.

c. ~~(C)~~ National Policy/DOD Policy Requirements:

(1) ~~(C)~~ Requirement (3)(a)1: DEPARTMENT OF THE ARMY MUST ASSUME CONTROL OF THE RETURNED USPW AS SOON AS POSSIBLE.

(a) ~~(C)~~ Discussion:

1. As AR 190-25 is intended to account for any situation wherein a US Army soldier is returned to U.S. control following a period of captivity, it does not explicitly require that the major US Army Commander in the theater of release assume control of US Army personnel as soon as possible. It does require that such personnel be placed under medical auspices as soon as possible and implies that such medical channels used will be Army channels.

2. In the current conflict in Southeast Asia, the Joint OPLAN J-190 establishes the requirement that the Services assume responsibility for their personnel at the CPC immediately upon arrival of the returnee from the receiving point. Although members of the Army may serve as part of the PRT at the receiving point, official control of the returnee actually begins at the CPC. In the event of small scale repatriation, the returnee will come under Army control no later than his arrival at the 24th Evacuation Hospital at Long Binh.

3. Inasmuch as the requirement for rapid assumption of control is focused in Southeast Asia, and OPLAN J-190 has the appropriate implementing instruction to which the Army must adhere, returning US Army personnel will come under Army control accordingly.

(b) (U) Finding: US Army doctrine meets National/DOD Policy Requirement #13.

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(2) ~~(C)~~ Requirement #14: PROCESSING OF ARMY RETURNEES MUST BE AS UNIFORM AS INDIVIDUAL CASES PERMIT AND COMPARABLE WITH THAT CONDUCTED BY THE OTHER SERVICES.

(a) ~~(C)~~ Discussion:

1. (U) This requirement reflects the need to insure that all repatriates regardless of service affiliation, receive like treatment. Recognition by all services of the need for sensitive, compassionate, and above all, understanding reception and processing will insure that one group of returnees is not treated with more deference than another.

2. ~~(C)~~ US Army doctrine for processing of Army returnees is defined in AR 190-25. A comparison of the AR against the other service programs is provided in Appendix K, this study. The other service programs differ from the Army's in that they are operations orders which deal specifically with the return to U.S. control of USPW's in Southeast Asia. As such, they are far more detailed than AR 190-25 in the specific processing steps. To properly receive returnees, such detail is necessary.

3. (U) The processing of returnees is sensitive and has long-run implications for the individual, the Army and the United States. Consequently, centralized planning is required even though execution will be decentralized, especially in instances of escapes and/or unnegotiated small scale releases. Detailed guidance in accordance with the DOD policy must be provided to insure effective uniform policy throughout the Services. The AR provides guidance but not in adequate detail.

4. ~~(C)~~ Appendix K provides a detailed discussion; however, several of the key features of the other Service programs not currently incorporated in Army doctrine are as follows:

a. Detailed "Concept of Operation" which sets the appropriate sympathetic tenor for receipt/processing of returnees. (EGRESS-RECAP - Navy)

b. Detailed Public Affairs guidance to include verbatim brief to be given to all returnees. (EGRESS-RECAP - Navy, Marine)

c. Specific guidance on the use of Service chaplains to provide spiritual assistance to the returnee and to his family. (EGRESS-RECAP - Navy)

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d. Comprehensive information briefings which bring the individual up to date on significant current events. (EGRESS-RECAP - Air Force)

e. Personalized dossiers provided to the returnee for his information and convenience. (EGRESS-RECAP - Air Force)

5. Figure 23 provides a tabular comparison of AR 190-25 and other Service programs.

(b) ~~(C)~~ Finding: US Army doctrine does not meet National/DOD Policy Requirement #14.

(3) ~~(C)~~ Requirement #15: DURING PROCESSING, THE WELFARE AND MORALE OF THE RETURNED USPW WILL BE OF PRIME IMPORTANCE AND ALL REASONABLE EFFORTS MUST BE MADE TO PROVIDE FOR HIS PERSONAL, PSYCHOLOGICAL, AND SPIRITUAL NEEDS.

(a) ~~(C)~~ Discussion:

1. ~~(FOUO)~~ There is no single portion of AR 190-25 which is designed to set the tenor for processing and evacuation which is required by DOD. The intent of the regulation, as stated, is to "assure that captured, missing, detained, or returned U.S. personnel and their families receive unfailing attention and are always considered as honorable and respected individuals."⁴⁹ It directs that during return processing, "maximum attention will be directed toward accepting the returnee as a normal member of society with special needs."⁵⁰ It fails to deal specifically with psychological support, and devotes only one inadequate sentence to the spiritual needs.⁵¹ This lack of explicit and comprehensive guidance in dealing with the welfare and morale of the returned US Army PW is in stark contrast with the 13 pages of counsel on the subject given in EGRESS-RECAP - Navy. (See Appendix K.)

2. (U) As has been indicated in the previous two requirement discussions, the lack of explicit guidance in AR 190-25 is partially mitigated in-theater by the more detailed approach of OPLAN J-190. However, once the Army returnee departs the theater, his processing and treatment will depend primarily on the implementing plans, intervening commands have developed based on AR 190-25. (NOTE: His debriefing will be conducted in accordance with OPLAN 107-71, "PW Debriefing Plan," US Army Intelligence Command.) The "official language

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POSTINTERMENT PROCEDURES		ARMY	OTHER SERVICES		
		AR 190-25	EGRESS RECAP NAVY	EGRESS RECAP MARINE	EGRESS RECAP AIR FORCE
EVACUATION AND ROUTINE PROCESSING	Detailed concept of operations		X		
	Acknowledgement of significance of processing for readjustment		X		X
	Personal counselling as to career status and assignment	X	X	X	X
	Adequate chaplain support		X		
	Pay and allowances counselling	X	X	X	X
	Detailed public affairs Guidance		X	X	X
	Informational briefing on current events		X		X
	Informational briefing on individual's family affairs	X	X	X	X
	Maintenance of personal dossiers on individual while in captivity	X			X
	Provision of escorts	X	X	X	X
NOK visits to CONUS hospital	X	X	X	X	
DEBRIEFING	Emphasis on information collection rather than conduct investigation	X	X	X	X
	Article 31 reading in accordance with DOD policy	X	X	X	X
	Acknowledgement of sensitive nature of debriefing for returnee readjustment		X		
	Procedures for the pressing of charges	X	X		X
	Possible grants of immunity	X		X	
	Legal annex		X	X	X
MEDICAL	Priority of Medical considerations	X	X	X	X
	Listing of hospitals eligible to receive returnees		X	X	X
	Convalescent leave provision	X	X	X	X
	Possibility of retention beyond ETS as a legal not a medical matter		X	X	
	Special medical debriefing	X			X

FIGURE 23. AR 190-25 vs OTHER SERVICE PROGRAMS

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and stark phraseology of the AR tends to negate the scattered statements within it which are designed to establish the priority of the individual over the system.

(b) (U) Finding: US Army doctrine does not meet National/DOD Policy Requirement #15.

(4) ~~(C)~~ Requirement #16: RETURNED USPW'S MUST BE EVACUATED FROM THE RELEASE POINT AS EXPEDITIOUSLY AS POSSIBLE WITHOUT REGARD TO SERVICE AFFILIATION.

(a) (U) Discussion:

1. The Army may or may not have immediate responsibility for the evacuation of the returnee(s) from the release point to the CPC. The actual evacuation responsibility will be levied by the theater commander at the time the release is effected. Location of the site of release, availability of assets, and service affiliation of the returnee(s) will most likely determine which service provides the transportation.

2. Medical Air Evac assets are currently available in Southeast Asia and could be used by the Army to meet the requirement. If additional support is required, additional helicopter assets could be levied.

(b) (U) Finding: US Army doctrine meets National/DOD Policy Requirement 16.

(5) ~~(C)~~ Requirement #17: IMMEDIATE PROCESSING OF A RETURNED USPW PRIOR TO EVACUATION TO CONUS WILL INVOLVE NO LESS THAN 36 HOURS AND NO MORE THAN 72 HOURS UNLESS EXCEPTIONAL CIRCUMSTANCES REQUIRE A VARIANCE FROM THESE NORMS.

(a) ~~(C)~~ Discussion:

1. ~~(C)~~ AR 190-25 specifically repeats the time limitations established by Department of Defense. It further requires that the major Army commander in whose area the initial processing is accomplished notify Department of the Army as to the reasons such processing exceeded 72 hours, if such occurs.

(b) (U) Finding: US Army doctrine meets National/DOD Policy Requirement #17.

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(6) ~~(S)~~ Requirement #18: APPROPRIATE SAFEGUARDS MUST BE IN EFFECT TO INSURE THAT PUBLIC RELEASE OF INFORMATION CONCERNING RETURNED USPW'S IS FACTUAL AND GIVES PROPER CONSIDERATION TO (1) THE WELFARE OF THE RETURNED PERSONNEL AND THEIR FAMILIES, (2) SECURITY REQUIREMENTS, AND (3) THE SAFETY AND INTEREST OF OTHER PERSONNEL WHO MAY BE DETAINED.

(a) ~~(S)~~ Discussion:

1. (U) During the Korean repatriation, there were occasions where press coverage was detrimental to the returning PW. In Big Switch, repatriates were prematurely exposed to the press at Munson without prior guidance as to their right not to grant interviews or as to what should or should not be made public information. It is a significant improvement that OPLAN J-190 specifies that a qualified information officer be included in the five-man Prisoner Reception Teams and that no returnee be exposed to interviews without a briefing by a parent service public information representative.

2. ~~(S)~~ To further emphasize the importance Public Information (PI) is given by the joint command, OPLAN J-190 requires each service to provide one qualified Information Officer for each 20 returnees belonging to that service. The companion document, AR 190-25, which provides Army doctrine in this area, does not specifically mention this requirement. It does, however, in its main text state that a returnee will be counseled by a senior information officer and an intelligence officer concerning relations with news media personnel, and avoiding sensitive questions, particularly those which might be detrimental to captured U.S. personnel still in enemy hands.

3. ~~(FOUO)~~ In an attempt to limit the initial exposure, the AR states that interviews with the press will normally not be granted until after the return of the individual to a hospital in the United States.⁵²

4. ~~(FOUO)~~ Appendix A of AR 190-25 provides Army doctrine for public information release. The single two-page paragraph is nebulous and fails to account for the three considerations stipulated in the DOD requirement:

Commanders will advise personnel returned to Army control of their right to grant or refuse interviews with the press. In the event that

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any returnees desire to meet the press, they may discuss the publically known aspects of their release and should generally restrict their comments to their feelings about being free and about their health.⁵³

5. ~~(FOUO)~~ The lack of PI detail in AR 190-25 will most likely contribute to failure on the part of processing personnel to understand what issues are involved. Furthermore, it is likely that the returnee will himself not have a clear picture of the boundaries within which he may speak freely without harming himself, his country, or PW's still interned.

6. ~~(e)~~ The possibility that returnees will not receive uniform guidance from individual/group to individual/group is avoided by the Navy. The Navy plan (EGRESS-RECAP - Navy, see Appendix K) provides a detailed Public Affairs Briefing Guide which is designed to be read to returnees and insure a uniform policy throughout the Navy.

(b) (U) Finding: US Army doctrine does not meet National/DOD Policy Requirement #18.

(7) (U) Requirement #19: NEXT OF KIN AND MEMBERS OF THE FAMILY OF A RETURNED PW WILL BE REIMBURSED FOR EXPENSES INCURRED WHILE TRAVELING TO VISIT HIM WHEN HE IS HOSPITALIZED IN CONUS.

(a) Discussion. AR 190-25 states that it is the policy of the Department of the Army to reunite returnees with their next of kin as quickly as possible. It authorizes reimbursement for commercial or private transportation, or use of military transportation for designated NOK living beyond commuting distance to make one round trip to visit returned personnel hospitalized in the United States, its territories or possessions. It directs that every assistance be given to those authorized such travel to insure that their trip is as easy and pleasant as possible.

(b) Finding: US Army doctrine meets National/DOD Policy Requirement #19.

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~~(S)~~ SECTION III - DEBRIEFING

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1. (S) PAST PROCEDURES (DEBRIEFING):

a. ~~(S)~~ Korea:

(1) (U) Little Switch:

(a) The procedures utilized in the debriefing of the Korean repatriates were heavily influenced by fears of "brain washing," that is, the belief that the thoughts and philosophies of a lifetime can sometimes be swept out of the mind and the doctrine of Communism eased in to replace them. In fact, the day after the signing of the Little Switch agreement, the Department of Defense issued a "fact sheet" which alerted the American public to the possible expression of pro-Communist views by repatriated former PW's.¹

(b) Many of those returned during Little Switch did not qualify for repatriation in an exchange of what was officially to be sick and wounded. Observers at the scene were amazed to note little or no signs of serious illness among many of the returned American PW's.² This led to protests to the enemy negotiators and suspicion of the PW's who were returned.

(c) Although fanfare greeted the first plane load of returnees to the United States, subsequent flight arrivals were cloaked in secrecy. It was apparent that the authorities in charge of the Little Switch repatriation had come to the conclusion that the group returned consisted of "progressives." An official statement released at Travis Air Force Base, arrival point for repatriates, stated that "it is our position that they [the repatriates] are victims of Communist propaganda."³

(2) ~~(S)~~ Big Switch:

(a) (U) The suspicions generated during Little Switch resulted in the debriefings of the remaining PW's (Big Switch) being primarily investigations to document enemy war crimes and PW misconduct while in the enemy camps.

(b) ~~(S)~~ Ten Joint Intelligence Processing Boards (JIPB) were established to handle the Big Switch repatriates. Nine of these Boards accompanied the ex-PW's who returned by surface ship. The other Board, the Japan Joint Intelligence Processing Board (JJIPB),

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dealt with personnel who were medically evacuated through Japan and those who, for other reasons, were also routed to Japan.⁴ The JIPB's were the responsibility of HQ, Army Forces Far East until such time as the repatriates departed for CONUS.

(c) ~~(S)~~ The debriefings of Big Switch repatriates were formally termed "interrogations" and were conducted in three phases:

I. Personal data information as required for Intelligence and Counter-intelligence processing.

II. Detailed Counterintelligence interrogation sufficient to establish initial security classification.

III. General Interrogation to determine extent of knowledge possessed by individual of specific subjects of intelligence interest.⁵

(d) ~~(S)~~ The functions of the JIPB were to:

1. Supervise and review Phase I, II, and III interrogations.
2. Review and analyze all information contained in Phase II interrogations and direct additional counterintelligence interrogations, when necessary.
3. Direct detailed interrogations based on information contained in Phase II and III interrogations within time available.
4. Maintain necessary records to indicate status of returnees during intelligence processing.
5. Maintain necessary liaison with Commanding Officers of hospitals in Japan and with troop and ship

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commanders as applicable, relative to matters affecting intelligence processing.

6: Arrange for disposition of intelligence and counterintelligence data on individual returnees upon arrival in ZI.⁶

(e) (U) Initial interrogation began at the holding area at Inchon prior to boarding ships for trip to CONUS. However, these were relatively perfunctory when compared to those interrogations which were conducted during the 2-1/2 week trip to CONUS. These were conducted by CID-CIC personnel and were continuous. Very often the repatriate repeated his story four or five times to the same interrogator during 4-hour sessions held every day for 6 or 7 days.⁷

(f) ~~(C)~~ The official instructions to the interrogators required "a friendly, helpful approach at all times."⁸ However, the heavy emphasis on conduct and the investigatory background of the interrogators combined to give the repatriates a feeling of harassment and put them on the defensive even when no guilty conduct was involved.⁹ The harsh attitude of the interrogators is best represented by the file report of the JJIPB which stated that "every repatriated PW must be considered a potential threat to the security of the Armed Forces and the United States Government until such time as his activities as a PW of the North Korean and Chinese Communists have been satisfactorily explained."¹⁰

(g) ~~(C)~~ All interrogators operated from a checklist which was not to be shown to the repatriate, nor was the repatriate to be given any advance notice of the length or detail of the interrogation.

(h) ~~(C)~~ The official instructions to the interrogators gave guidance with respect to the reading of Article 31, Uniform Code of Military Justice (UCMJ). The instructions provided that "when suspects of subversion or similar crimes are developed during the course of the Phase II and Phase III interrogations warning will be given of suspects' legal rights under Article 31, Uniform Code of Military Justice, together with a statement that previous testimony given by him cannot be used against him."¹¹

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(i) ~~(C)~~ Upon arrival in CONUS, the interrogation questionnaire and the report on the individual PW were turned over to G2, Sixth Army, who forwarded the material to the gaining command of the returnee. The G2 also prepared a cross-reference sheet indicating names of individuals who were mentioned by the returnee as being fellow PW's and verbatim excerpts of all information given by the returnee in regard to each. Copies of the Summaries of Information, the cross-reference sheet, the excerpts and the questionnaire were then forwarded to the Assistant Chief of Staff, G2, Department of the Army for centralized processing.¹² The idea here was that by collecting the information given by the returnee himself and the information given about him by fellow PW's, the complete story of a repatriate's actions while in captivity could be constructed.

(j) ~~(C)~~ However, in reality, misfiling due to inaccurate accounts of first and last names, as well as inability of repatriates to reconfirm their remarks in later follow-up investigations resulted in files being only tentative in nature.¹³ Legal actions based on such inaccuracies and unsubstantiated information was impossible without detailed re-investigation. Despite the intense concern with the repatriates' conduct, it is significant that 14 of them were court-martialed and 11 convicted.¹⁴

b. ~~(C)~~ Southeast Asia:

(1) (U) Prior to the promulgation of AR 190-25, "Captured, Missing, or Returned US Army Personnel: Administration, Return and Processing, in November 1969 and Intelligence Command OPLAN 107-71, 26 April 1971, all debriefing was conducted in accordance with AR 381-130, "Counterintelligence Investigations: Supervision and Control." Debriefers were trained on counterintelligence and were taken from their routine duties to debrief returnees.

(2) (U) Due to the infrequent occurrence of ex-PW's returned to U.S. control, explicit US Army procedures strictly concerned with debriefing former prisoners of war were not established until AR 190-25 (November 1969) and OPLAN 107-71 (April 1971) appeared. Prior to this time intelligence debriefings were conducted as counterintelligence investigations.

(3) (U) AR 381-130 specifically states that "US Army Counterintelligence Special Agents are specially trained to detect treason, sedition, subversive activity and disaffection, and for the

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defection, prevention, and neutralization of espionage and sabotage."¹⁵ As might have been anticipated, personnel with such training approached the debriefing of returnees with attitudes similar to those of the JIPB of Big Switch. This resulted in the interrogation of returnees rather than their debriefing. The distinction is worth clarifying:

(a) Interrogation clearly implies the acquisition of information from a subject reluctant to impart such information. Debriefing, on the other hand, involves the acquisition of information from a subject who has had an experience of interest to the querying activity and willingly imparts it. Enemy PW's are interrogated; U.S. combat patrols are debriefed. The difference is significant in that interrogation assumes prior guilt or at least a reluctance to impart significant information.

(b) Doctrinal guidance for interrogation is contained in FM 30-15, Intelligence Interrogation. The FM includes as subjects for interrogation "US military escapees or evaders, defectors, refugees, displaced persons, agents or suspected agents, and prisoners of war."¹⁶ This field manual recommends that the interrogator "should attempt to prevent the subject from becoming aware of the true objective of the interrogation."¹⁷ This is a clear prior assumption of the unwillingness of the subject to reveal information and is clearly inapplicable in the overwhelming majority of cases involving "US military escapees or evaders."

(4) (U) These interrogations were preceded by a reading of Article 31 (UCMJ) as explicitly directed by paragraph 5, section I, Appendix V (Debriefing Guides for Returned US Personnel) of AR 381-130. The result of a reading of Article 31, coupled with the interrogation procedures being utilized, tended to detrimentally affect the free flow of information which is a prerequisite to a successful debriefing.¹⁸

(5) (U) Appendix V of AR 381-130 was clearly weighted in the direction of an investigation of conduct rather than a search for intelligence information. The interrogator was directed to "determine SUBJECT'S activities while under foreign control."¹⁹ The following eleven items constituted the guidelines by which the interrogator was to make such a determination:

- a. Detailed chronological account of SUBJECT'S movements.
- b. Names and complete descriptions of interrogators.
- *c. Whether SUBJECT requested political asylum.

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d. Detailed account of any indoctrination. This should include but not be restricted to school attended, curricula of these schools, and any other types of indoctrination.

e. Names and activities of any United States or allied personnel, civilian or military, who are presently under foreign control of whom SUBJECT has knowledge.

f. Detailed description of any installation or prison in which subject was held, to which he had access, or of which he has knowledge.

*g. If SUBJECT was permitted to work and to reside in a community, obtain the following: where he was employed, and names of any organizations, political or otherwise, to which SUBJECT belongs. Determine the prevailing living conditions in the area, the attitude of the general public toward the United States, and the degree of freedom accorded SUBJECT.

*h. Determine if SUBJECT signed, or was requested to sign, any statement while under foreign control. Obtain details.

*i. Determine if SUBJECT was ever recruited for any type of intelligence work, either under foreign control or after returning to United States control. Obtain details such as mission, person in charge, other persons involved; how recruited (voluntarily or forced), method of being contacted, types of communication to be utilized, finances, etc.

*j. Determine what information SUBJECT gave to his interrogators, or to other persons, concerning military equipment, installations, personnel, training and tactics, and whether such information was given voluntarily, inadvertently, or under coercion or duress.

k. Detailed account of all goods, lodging, clothing, and other items provided to SUBJECT during defection or detention, and all illnesses, injuries, and medical attention provided.

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*Clearly, items c, g, h, i, and j (all marked with an asterisk) are more concerned with conduct than intelligence.

(8) ~~(c)~~ Upon completion of the interrogation, paragraphs 1, 2, 3, and 4 of attachment 3 to FM 21-77A, Joint Worldwide Evasion and Escape Manual, were read to the returnee. These paragraphs concern the safeguarding of military information and are designed to prevent sensitive information on imprisonment and escape and evasion procedures from reaching unauthorized sources, especially the news media. In order to insure that the returnee understood these instructions, he was required to execute a "nondisclosure certificate."²⁰

NONDISCLOSURE CERTIFICATE

(To be executed by military personnel)

I certify that I have read or have had read to me, and that I fully understand the instructions to military personnel concerning publicity in connection with escaped prisoners of war, or other persons detained by a hostile power, to include evaders from hostile territory and internees in neutral countries.

I understand that all information obtained from briefings, personal experience, or other sources concerning evasion or escape, from capture, related activities and equipment, details of imprisonment, and release from internment is sensitive or classified military information and will not be disclosed to anyone except designated military officials. I further understand that disclosure of such information to any other person, or the divulging of such information through any means, will make me liable to disciplinary or penal action for failure to safeguard military information under the official regulations of the Military Service to which I am assigned, and under 18 U.S.C., 793 and 794 as amended.

NAME: _____
RANK: _____
SERIAL NO: _____
BLOOD CHIT NO: _____
MILITARY SERVICE: _____
ORGANIZATION: _____

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2. ~~(c)~~ CURRENT POLICY (DEBRIEFING):

a. ~~(c)~~ General. On 26 April 1971, HQ, US Army Intelligence Command promulgated the "US Army Intelligence Command Prisoners of War Debriefing Plan," whose short title is OPLAN 107-71, EGRESS RECAP-Army (U). This OPLAN is applicable only in large scale debriefings when 11 or more Army PW's are returned to CONUS from Southeast Asia for processing.²¹ If 10 or less are returned from Southeast Asia (small scale debriefing in other areas, the debriefing procedures are governed by US Army Intelligence Command Regulation 381-100. Both documents implement AR 190-25. OPLAN 107-71 is concerned exclusively with the CONUS portion of the debriefing while MACV OPLAN J190 contains the guidance for the in-theater debrief during the current hostilities in Southeast Asia.

b. ~~(c)~~ Small Scale Repatriation:

(1) ~~(c)~~ Debriefing of returnees in Southeast Asia is a two-phase operation. The first phase takes place in theater while the second phase, which is more detailed, is conducted after the individual has entered a CONUS medical facility.

(2) ~~(c)~~ OPLAN J190, a current In-Theater Guide, provides that normally intelligence debriefing will not commence until the returnee(s) reach the initial processing center. However, "if necessary in order to gain intelligence information of a tactical nature," the intelligence specialist of the PRT may conduct a limited debrief.²² The purpose of such a debrief will normally be concerned only with (a) the location of the PW camp and (b) the presence or lack of other American PW's at that or other camps.

(3) ~~(c)~~ The primary in-theater debrief takes place at the in-theater processing center. It will be accomplished concurrently with medical treatment and will be executed in such a manner as not to delay processing. OPLAN J190 specifies that "debriefings should be limited to obtaining information of immediate tactical significance and significant information concerning U.S. personnel detained by hostile forces."²³

(4) ~~(c)~~ DIA Specific Intelligence Collection Requirement (SICR) D-7CX-24000, "Initial Report of Perishable Priority Prisoner of War Intelligence," provides guidance for the in-country debrief. Its primary concern is with the establishment of the identity, conditions, and location of other USPW's not yet returned to U.S. control. Even in the event of a termination of hostilities, this information will be

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desired in order to establish that the enemy is complying with PW repatriation agreements, as well as to quickly establish a roster of those personnel who may have died while in enemy hands.

(5) ~~(C)~~ Information relating to the circumstances of capture, imprisonment, escape, evasion, and recovery are sensitive and require a security classification no lower than CONFIDENTIAL. OPLAN J190 cites the following items as particularly sensitive:

(a) Preparation for and method used in evasion from capture or escape from enemy forces or enemy occupied territory.

(b) Identity of friendly personnel in areas of hostile or neutral control.

(c) Details of procedures of enemy interrogation or political indoctrination.

(d) Traitorous acts of US personnel, criminal acts against US personnel, and acts of espionage against the enemy.²⁴

(6) (U) Copies of intelligence debriefings will be furnished to CINCPAC, PACOM service commanders, MACV Joint Personnel Recovery Center (JPRC) and other commands as appropriate or as directed.²⁵

(7) (U) The processing of a returnee can affect his readjustment to the environment of freedom. The debriefing process is of great significance to this readjustment. It follows, therefore, that an antagonistic relationship between the debriefer and the returnee must be avoided.

(8) (U) Because of the experiences of Little Switch, Big Switch returnees were interrogated rather than debriefed. Appendix V to AR 380-130, which was used as a guide to debriefing in the earlier stages of hostilities in Southeast Asia, shows a similar tendency to interrogate for conduct rather than to debrief for information. Current DOD policy, which is reflected in AR 190-25, is an attempt to correct the faults in the earlier debriefing procedures.

(9) ~~(FOUO)~~ In regard to this, AR 190-25 provides identical guidance for both the in-theater and the CONUS debriefings.

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Debriefers will advise a returnee of his rights under Article 31, UCMJ, and his right to counsel only when previously acquired information, an accusation by a fellow returnee, or a returnee's own statement give reasonable cause for a debriefer to suspect the returnee of conduct constituting a violation of the law. The returnee's former status as a prisoner of war or detainee must not give rise to inferences of misconduct.²⁶

(10) (U) Such a correction was necessary because the delicate relationship between a returnee and the personnel with whom he comes into contact during initial processing was finally recognized. Debriefing is a critical element in the readjustment process, and, consequently, the debriefer has a great deal of responsibility which includes, not only gathering information, but also functioning so as to relieve the anxieties of the returnee.

(11) (U) A paper prepared by the Office of Chief, Communicable Diseases and Immunology Research Board of the Office of the Surgeon General states:

Guilt will be a major problem. Staying alive may indicate a tenacity of spirit and willpower but may also include, to some, a hint of collaboration in enemy. Debriefings may act as a form of catharsis in many cases.²⁷

(12) (U) Reinforcement for this OTSG paper is provided by an analysis of the psychological problems associated with debriefing which was written by a Naval clinical psychiatrist serving as head of the Human Factors Advisory Group at the Navy Training Center, San Diego, California. This analysis points out that "the returnee was unprepared for many of the psychological effects of imprisonment and its effect upon him."²⁸ It goes on to say that the individual in captivity is likely to have found himself doing things and obeying rules in a manner he would not have thought possible prior to captivity. Such feelings cause him to believe that, because he is doubting himself, it is unlikely that any 'outsider' is ever going to understand. He strongly suspects that if he is becoming critical of his behavior the people to whom he is returning are going to be doubly critical."²⁹

(13) (U) Indications of surprise or criticism by a debriefer "is going to raise barriers to communication which may never be

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surmounted. The returnee expects the debriefer to lack understanding, to be suspicious and even hostile."³⁰ An unsympathetic approach on the part of the debriefer is likely to create a "quiet belligerency and anger on the part of the returnee which is hardly calculated to result in the fullest possible body of information."³¹ There will be a great deal of anxiety on the part of the returnee who will realize that "promotions, security clearances and career all hinge on the degree to which his debriefers interpret his experience with total understanding of all of his environmental pressures, physical and psychological, which were affecting him at the time."³²

(14) ~~(C)~~ The CONUS debriefing will be especially sensitive as it is the most detailed and is most likely the first chance that the returnee has had to discuss coherently and comprehensively the specifics of his experiences. An insensitive debriefer "efficiently" working through the check list which constitutes SICR D-7CX-49019, may frustrate the rehabilitation process by failing to perceive the returnee as a fellow soldier who has undergone callous treatment and is possibly beset by guilt for having survived in the first place.

(15) ~~(C)~~ The current practice of requiring the reading of Article 31 (UCMJ) only upon prior evidence of allegations by other PW's must be considered a significant improvement over the mandatory reading required by Appendix V of AR 380-130.

(16) ~~(C)~~ There is no specific guidance as to when the debriefing of a repatriate should be interrupted for a reading of Article 31 (UCMJ). This is left up to the individual debriefer's ability to discern when an individual is engaged in self-incrimination. Furthermore, personnel assigned to the debriefing mission will not necessarily have extensive prior experience, although all will have had counterintelligence interrogation training.

(17) ~~(C)~~ There exists the possibility that intelligence requirements will be in conflict with legal requirements (Article 31 reading). This arises when an individual possesses needed information, but his debriefing is effectively closed down by the reading of the rights. The intelligence community adhering strictly to AR 190-25 considers this reading mandatory.

(18) Experience in Korea has shown that it is probably impossible to convict a returnee for his actions while in captivity unless he was treasonable or took actions against fellow PW's. Consequently, the US Army Combat Developments Command Judge Advocate Agency (USACDCJAA)

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has suggested that there be no reading of the rights during the debriefing in order that the fullest possible flow of information takes place.³³ Anything of an incriminating nature which emerges is then inadmissible as evidence. However, outside evidence would be necessary to convict, and under normal circumstances, hard-to-get intelligence information is likely to be of more importance than the conduct of a sensitive prosecution which has only a slight chance of resulting in conviction. In strict legal terms this is not to say, however, that the information which emerges is classifiable as "Privileged Communication."

"Privileged Communications: is a term of art, with a very specific meaning in US law and should not be used in relation to debriefing. It is a communication made as an incident of a confidential relation which it is the public policy to protect. Generally, this involves communications: (1) of classified information; (2) between husband and wife, client and attorney, penitent and clergyman; and (3) to a limited extent, of an informant and Inspector General (para. 151, MCM, 1969 (Rev.)). A debriefing would not readily fall into any of these categories. It may involve classified information, but normally would not be classified per se.

This privilege may be waived only by the person or agency entitled to the privilege. Thus, categories 1 and 3 can be waived only by the government and category 2 only by the individual repatriate. As such the debriefer could not enter into a privileged communication category, since he is totally subject to his superiors in categories 1 and 3 and factually cannot be within category 2.

There is a "compromise" position. The debriefer can advise the repatriate substantially as follows: "This is solely an intelligence debriefing for the purpose of finding out exactly what happened in the internment facilities. This information will not be released and will be used only for official government purposes and will not and cannot be used against you in any adverse proceeding. Therefore, you should feel free to speak the entire truth." Such advice would not be a grant of immunity, would

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not establish any "privileged communication," would not be in violation of the Uniform Code of Military Justice, but would make any information gained by the debriefing inadmissible in a trial of that repatriate by court-martial (Art. 31d, UCMJ: para. 140, MCM, 1969 (Rev.)).³⁴

(19) (U) Personnel conducting the in-theater debriefs will most likely be warrant officers with interrogation training who are taken from other duties during repatriation. Such personnel will have access to current dossiers on captured and missing US Army personnel. It is assumed that sufficient personnel with interrogation/debriefing training will be in-theater to accomplish the mission of administering debriefs at the processing center.

(20) ~~(C)~~ The procedures for in-theater debriefing are the same for both large and small scale repatriation. The difference in the current Southeast Asia conflict is only that in the event of large scale repatriation the debriefs will take place at the Central Processing Center (CPC) at Cam Ranh Bay. The debriefing of US Army returnees in a small scale repatriation will be undertaken at the 24th Evacuation Hospital at Long Binh.

(21) ~~(C)~~ OPLAN J190 provides for the parent Service to designate escorts for the returnees.³⁵ These escorts are "to have appropriate security clearances and have in their possession a copy of the complete intelligence debriefing for the intelligence representative of the gaining overseas Army Command or Commanding General, US Army Intelligence Command (CG, USAINTC) if evacuation is to CONUS."³⁶ This is their sole function. Such escorts most likely will be MI personnel ready to rotate out of theater. The MI escort should not be confused with the escort which AR 190-25 required to be appointed for 30 days and who is concerned with facilitating the personnel, finance, and news media problems of the returnee (see page 6-14).³⁷

(22) (U) The CONUS debriefing is much more detailed than that undertaken in-theater. Its primary purpose is "to obtain timely and useful information to fulfill intelligence/counterinsurgency requirements and to develop information of current and future use."³⁸

(23) ~~(FOUO)~~ The guidance for the reading of Article 31 (UCMJ) remains the same for the CONUS debriefing as it was for the

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in-theater debrief (see page 6-33). In the event the returnee is advised of his rights, a classified report will be forwarded to DA, giving a brief resume of the circumstances.³⁹

(24) ~~(FOUO)~~ A CID investigation is required if evidence or allegation of misconduct exist. However, AR 190-25 specifies that "criminal or counterintelligence investigations will occur subsequent to debriefing activities whenever possible."⁴⁰ If such an investigation results in a determination by the appropriate commander that charges should be prepared under the provisions of the UCMJ, the commanders will "notify the general court-martial outlining his intent to prefer charges unless considerations of material policy make it inadvisable to do so."⁴¹ No action will be taken to formally prefer charges until DA determines "whether continued processing of charges, or the granting of immunity, is consistent with the security and national interests of the United States."⁴²

(25) ~~(S)~~ CG, USAINTC is responsible for conducting CONUS debriefs. Small scale repatriation procedures are specifically contained in USAINTC Regulation 381-100, "Debriefing Guide for the Processing of Returned US Personnel (REGAP)."

(26) ~~(S)~~ The personnel to conduct the debriefing are to be taken from the MI group(s) which operate in the CONUS Army area(s) in which the returnee(s) are to receive their medical examinations and/or treatment.

(27) ~~(S)~~ For small scale repatriation the MI groups involved are directed to "coordinate through the CONUS Army DCSINT with US Army elements having an interest in the returnee(s), or whose administrative and logistical support will be required during the debriefing process."⁴³

(28) ~~(S)~~ In accordance with DA policy, USAINTC regulation 381-100 directs that debriefing will be accomplished prior to medical release.⁴⁴ The possibility is recognized that the returnee will separate from the service upon medical release due to the fact that his ETS has passed. Consequently, the debriefing must be "timely and efficient" and information furnished by the returnee "must be reduced to documentary form and reported to interested commands/agencies on a daily basis."⁴⁵

(29) ~~(S)~~ DIA SICR D-7CX-49019 contains specific intelligence requirements for CONUS debriefing of Army returnees from Southeast Asia, although additional Essential Elements of Information (EEI) may be generated by other commands and other interested government agencies. SICR D-7CX-49019 reiterates the official DOD position on the reading of Article 31 (UCMJ).⁴⁶

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(30) ~~(C)~~ SICR D-7CX-49019 advises that the "returnee be permitted to tell his story in his own words prior to beginning the detailed debriefing."⁴⁷ The primary thrust of this SICR is towards the acquisition of information about the enemy and his mode of operations. Unlike AR 381-130, "Counterintelligence Investigations," the focus of SICR D-7CX-49019 is not upon returnee conduct, although such conduct emerges as part of the general information gathering process of the debriefing.

(31) ~~(C)~~ In accordance with USAINTC regulation 381-100, the debriefing is conducted in four phases:⁴⁸

(1) Phase I involves meeting the returnee and determining his willingness to be interviewed under oath. Perishable information should be obtained at this time, if this has already not been done. Determination is to be made if there are any messages for relatives of personnel in enemy hands.

(2) Phase II is to be a detailed inquiry into the circumstances of capture, imprisonment, and release/escape.

(3) Phase III involves acquiring the information necessary to fulfill SICR D-7CX-49019, as well as all other EEI's.

(4) Phase IV is the signing of a sworn statement and the determination of the willingness and availability of the returnee for further interviews.

(32) ~~(C)~~ USAINTC regulation 381-100 specifically states that "DA doctrine as set forth in FM 30-15, Intelligence Interrogations" will be applied in the debriefing sessions.⁴⁹ If the debriefer strictly adheres to this guidance, it places him in contravention to the doctrine of both DOD and DA as defined in SecDef Memorandums and AR 190-25.

(33) (U) The techniques which a debriefer uses are crucial to the establishment of rapport and trust with the returnee. The technique of the trained interrogator as outlined in FM 30-15 with

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the prior assumption of a reluctance of the individual to impart information may prove inappropriate for use in this situation, unless evidence or suspicion of misconduct already exist (see page 6-34.).

(34) ~~(FOUO)~~ AR 190-25 implicitly bars the use of interrogation techniques (which rely heavily on attempting to "trip-up" the suspect through repetition) by stating:

Maximum efforts will be made to avoid repetition and redundancy in debriefing returnees. Needs for verification of information arising from other debriefings and for investigations will be held to an absolute minimum. A check to insure that information desired has not been previously provided will be accomplished prior to querying the returnees, especially in regard to inter-service intelligence activities.⁵⁰

(35) ~~(C)~~ However, USAINTC regulation 381-100 does not prohibit interrogation techniques, but, in fact, recommends their use when it states that DA doctrine as set forth in FM 30-15, Intelligence Interrogation, will apply.⁵¹

(36) (U) FM 30-15 sets forth "doctrine pertaining to basic principles of interrogation and establishes procedures and techniques applicable to Army intelligence operations."⁵² As previously noted, this FM is described as applicable to "US military escapees or evaders."⁵³ (See page 6-29).

(37) (U) There are 13 "techniques" of interrogation set forth in FM 30-15:⁵⁴

- (1) Direct approach technique
- (2) File & Dossier technique
- (3) We know all technique
- (4) Futility technique
- (5) Rapid fire technique
- (6) Harassment technique
- (7) Repetition technique
- (8) Mutt and Jeff technique
- (9) Pride and ego technique
- (10) Silent technique
- (11) Change of Scene technique

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- (12) Establish your identity technique
- (13) Emotional technique

(38) (U) These techniques are designed to secure information from PW's who are reluctant to impart such information. They are largely inapplicable to debriefing of returnees even though USAINTC regulation 381-100 states that the doctrine of FM 30-15 will apply. For instance, the "emotional" technique requires the interrogator "to place pressure on the subject's emotional problems by going into detail and creating a sorrowful picture of the subject's plight. A skilled interrogator can cause the subject to feel despondent and perhaps even bring him to tears."⁵⁵ Harrassment suggests that "the subject may be called for interrogation at any time of day or night, questioned for a few minutes and then released only to be recalled shortly thereafter."⁵⁶ Although "repetition" is banned by the provisions of AR 190-25, it still remains listed as a technique of interrogation in the manual designated by USAINTC regulation 381-100 as the guide to debriefing practices. It should also be remembered that "Mutt and Jeff," which involves two interrogators, one extremely harsh and the other "friendly," is a favorite Communist technique in the interrogation process.

(39) ~~(S)~~ There is definite contradiction between the tone of AR 190-25 and the use of FM 30-15 as a source of guidance for debriefing returnees. Clearly, most of the 13 "techniques" described in the manual are inappropriate to the debriefing of friendly sources. The utilization of such techniques is obviously detrimental to the securing of information and the readjustment of the returnee. The effect is to place the returnee in captivity. Returning U.S. combat patrols are not debriefed by the techniques of FM 30-15, and neither should returnees where there is no evidence or allegation of misconduct.

c. ~~(S)~~ Large Scale Repatriation in Southeast Asia:

(1) ~~(S)~~ The in-theater debriefing procedures for South Vietnam are governed by AR 190-25 and MACV OPLAN J-190. They do not vary for large or small scale repatriation.

(2) ~~(S)~~ In the event of large scale repatriation, the CONUS debriefing procedures are governed by USAINTC OPLAN 107-71 EGRESS-RECAP - ARMY. The references for this document include AR 190-25, MACV OPLAN J190, USAINTC Regulation 381-100, SecDef Memo of 8 June 1968, and SecDef Memo of 18 January 1969.⁵⁷

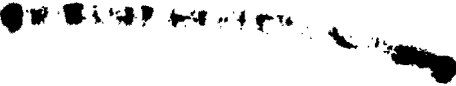
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(3) ~~(C)~~—The concept of operations of USAINTC OPLAN 107-71 describes three phases of debriefing operations:

(1) Phase I - Pre-Debriefing and Planning Phase. USAINTC accumulates, maintains and collates data received from various sources concerning US Army personnel carried in prisoner of war (PW) or missing status. Plans are developed to insure that subordinate elements are prepared to conduct debriefings upon order.

(2) Phase II - Debriefing Phase. Debriefing teams are deployed to appropriate medical facilities to conduct debriefings under direction and control of the USAINTC Debriefing Control Element (DCE).

(3) Phase III - Post-Debriefing Phase. Preparation of appropriate after-action reports subsequent to termination of debriefings. Debriefing teams return to control of parent unit.⁵⁸

(4) ~~(C)~~ The USAINTC Director of Investigations (DOI) will establish the DCE which will perform the following:

(a) Accumulate, maintain, and collate data received concerning all potential returnees.

(b) Develop debriefing format and technique based upon Defense Intelligence Agency Special Intelligence Collection Request (SICR) and AR 381-130, Debriefing Guide for Returned US Personnel. Format and techniques will be furnished MI Groups for study training, and ultimate use by Ground Debriefing teams.

(c) Develop procedures for assuming operational control of all debriefing teams, designate operational area, determine augmentation requirements, both personnel and equipment.⁵⁹

(5) ~~(C)~~ Actual debriefing will be carried out by personnel of the MI Group(s) in whose areas the returnees are medically assigned.⁶⁰

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Each group must train a minimum of 15 two-man debriefing teams to be utilized within its area.⁶¹ This training will be in accordance with the format and techniques furnished by DOI.⁶² The nature of the format and techniques is not specified by OPLAN 107-71, but there would appear to be no attempt to sensitize the debriefer to the internment experiences of the PW's.⁶³ Rather the concern of DOI would seem to be with the need to secure information as expeditiously as possible.

(6) ~~(C)~~ This system is in contrast to the Navy which has undertaken a training program for reserve officers who will be activated to handle the debriefing of returnees if and when large scale repatriation from Southeast Asia takes place (see Appendix K). The naval program is a deliberate attempt to forestall an antagonistic debriefer - returnee relationship. The use of reserve personnel assures a trained pool will be available. This avoids the problem inherent in relying on active duty personnel whose frequent changes of station make it extremely difficult to insure that sufficient specially trained personnel are available for the mission of large scale returnee debriefing.

(7) (U) Training of the two-man teams will take place regardless of the number of medical facilities in that area.⁶⁴ The number of teams actually utilized will depend upon:

- (a) Actual number of returnees released at one time;
- (b) Flow of returnees to CONUS;
- (c) Physical condition of returnees.⁶⁵

(8) ~~(C)~~ There are seven Surgeon General Class II facilities which are designated as "primary locations for returnees."⁶⁶ These are unevenly distributed among the MI Group areas:⁶⁷

<u>Group</u>	<u>Number OTSG Class II Facilities</u>
(1) 108th MI Group (Ft. Devens)	0
(2) 109th MI Group (Ft Meade)	1 (Phoenixville, PA)
(3) 111th MI Group (Ft Bragg)	0
(4) 112th MI Group (Ft Hood)	2 (El Paso, TX; Ft Sam Houston, TX)
(5) 113th MI Group (Ft Riley)	0
(6) 115th MI Group (Ft Carson)	3 (San Francisco, CA; Denver, COLO; Ft Lewis, WA)
(7) 116th MI Group (Washington, DC)	1 (Washington, DC)

The designation of Class II facilities as "primary locations" facilitates planning and enables intelligence personnel to effect prior coordination with medical personnel.

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(9) ~~(c)~~ USAINTC OPLAN 107-71 repeats DOD guidance on the welfare of returnees:

Captivity is not a state of culpability and returned prisoners of war will be treated accordingly. Returnees will be accorded all of the legal rights and privileges to which they are entitled as military personnel at every stage of processing, including intelligence/counterintelligence debriefings. The welfare and morale of returned personnel are of prime importance, and all reasonable efforts will be made at all stages to provide for their personal, psychological and spiritual needs.⁶⁸

(10) ~~(c)~~ USAINTC OPLAN 107-71 also repeats DOD guidance with respect to the reading of Article 31 (see page 6-33), although Appendix V of AR 381-130, the debriefing doctrine recommended by OPLAN 107-71, makes the reading of the rights mandatory. This contradiction could lead to confusion as to the proper procedures to be utilized.

(11) ~~(c)~~ As previously noted (see page 6-35), any reading of Article 31 is likely to involve a conflict between intelligence requirements and legal requirements.

(12) ~~(c)~~ The bulk of USAINTC OPLAN 107-71 is administratively oriented. The delicate nature of the debriefer-returnee relationship is ignored. The use of an OPLAN does, however, permit a greater degree of coordination and control than did the use of AR 190-25 and/or USAINTC Regulation 381-100.

3. (U) OTHER SERVICE PROGRAMS - See Appendix K.

4. ~~(c)~~ EVALUATION OF REQUIREMENTS (DEBRIEFING):

a. (U) General. Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon the Department of the Army by national and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed in light of the debriefing doctrine and execution which has been presented in paragraphs 2 a, b, and c, above. The objective of this section is to determine whether or not current Army doctrine in the area of debriefing is adequate and, equally important, whether or not the field execution of existing doctrine.

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is satisfactory. Where either doctrine or execution or both are inadequate, remedial alternatives are presented in Appendix J, Discussion/Analysis Appendix for postinternment phase culminating in recommendations for new or revised Army doctrine where appropriate.

b. (U) Communist Management Principles Requirements. The Communist management principles generate no doctrinal requirements in the area of debriefing.

c. ~~(C)~~ National Policy/DOD Requirements:

(1) (1) ~~(C)~~ Requirement #20: DEBRIEFING OF A RETURNED USPW WILL BE CONDUCTED CONCURRENTLY WITH MEDICAL TREATMENT AND EVACUATION WHENEVER POSSIBLE:

(a) ~~(C)~~ Discussion:

1. ~~(C)~~ MACV OPLAN J190 provides that intelligence debriefing takes place at the CPC (large scale repatriation) or at the Army's 24th Evacuation Hospital at Long Binh (small scale repatriation). However, the intelligence specialist of the PRT is permitted to conduct a limited debrief at the reception point.

2. ~~(C)~~ No debriefing takes place during the aerial evacuation to CONUS.

3. ~~(C)~~ AR 190-25 directs the CONUS hospital commander to coordinate with the intelligence/counterintelligence debriefing team. Both USAINTC Regulation 381-100 (small scale repatriation) and USAINTC OPLAN 107-71 (large scale repatriation) supply detailed guidance on coordinating with medical personnel.

(b) (U) Finding: US Army doctrine does meet Requirement #20.

(2) ~~(C)~~ Requirement #21: US ARMY RETURNEES WILL BE ACCORDED ALL OF THE LEGAL RIGHTS AND PRIVILEGES TO WHICH THEY ARE ENTITLED AS MILITARY PERSONNEL. PARTICULAR EFFORT WILL BE MADE TO INSURE THOSE RIGHTS AND PRIVILEGES ARE IN NO WAY COMPROMISED OR DILUTED.

(a) ~~(C)~~ Discussion:

1. ~~(C)~~ The legal right to which all returnees are entitled is the presumption of innocence unless evidence is found to

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the contrary. OPLAN J190, AR 190-25, and USAINTC OPLAN 107-71 specifically state that no presumption of guilt is to be attached to the fact of captivity.

2. ~~(S)~~ There does, however, still exist a definite need to insure that returnees against whom there exists no evidence or accusation of misconduct are not debriefed by techniques which imply that the returnee is reluctant to speak truthfully about his experiences while in captivity. The use of such techniques is a clear indicator of a presumption of guilt which is forbidden by DOD policy and AR 190-25. There has been a definite improvement in this area from the early phase of the conflict in Southeast Asia when the only guidance for debriefers was the conduct-oriented AR 381-130. Yet, the April USAINTC OPLAN 107-71 references this AR, which is entitled "Counterintelligence Investigations: Supervision and Control," as a guide for developing debriefing techniques for large scale repatriation.

3. ~~(S)~~ An even greater problem arises in the event of small scale repatriation in which USAINTC Regulation 381-100 applies since this Regulation advises debriefers to use FM 30-15 as guidance. This FM is inapplicable to cases of returnees and places them in the same category as EPW's and defectors. Consequently, the debriefing techniques tend to be harsh and inappropriate for returnees where there is no prior evidence or accusation of misconduct.

(b) (U) Finding: US Army doctrine does not meet Requirement #21.

(3) ~~(S)~~ Requirement #22: US ARMY RETURNEES WILL BE GIVEN THE WARNING SPECIFIED IN ARTICLE 31, UCMJ AND ADVISED OF THEIR RIGHTS TO COUNSEL ONLY WHEN INDIVIDUALS HAVE BEEN CHARGED WITH HAVING COMMITTED AN OFFENSE PUNISHABLE UNDER THE UCMJ OR WHEN PREVIOUSLY ACQUIRED RELIABLE INFORMATION CLEARLY INDICATES THAT THEY HAVE COMMITTED SUCH AN OFFENSE AND THAT AN INVESTIGATION SHOULD BE MADE:

(a) ~~(S)~~ Discussion. Since the promulgation of AR 190-25 (November 1969), the reading of Article 31 has no longer been mandatory. This doctrine is reiterated in MACV OPLAN J190, USAINTC Regulation 381-100, and USAINTC OPLAN 107-71.

(b) (U) Finding: US Army doctrine does meet Requirement #22.

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(NOTE: As previously indicated (see page 6-35), valid arguments exist to the effect that any reading of Article 31 involves a conflict between legal and medical requirements. See Appendix C for a fuller discussion of this matter.)

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~~(e)~~ SECTION IV - MEDICAL TREATMENT (U)

1. (C) PAST PROCEDURE (MEDICAL TREATMENT):

a. ~~(e)~~ Korea:

(1) (U) The release point for allied PW's in both Little and Big Switch was Panmunjom. From there helicopters were available to transport the critically ill to the reception center at Munsan. Most releasees, however, traveled the approximately 20 kilometers to Munsan by ambulance. The 45th Mobile Army Surgical Hospital was set up at Munsan prior to Little Switch. It had a staff of 12 doctors reputed to be the "best available surgeons" in the theater.¹ Plans existed to marshal every possible helicopter to transport ill/wounded releasees to any one of a half dozen UN hospitals which were previously designated as backup installations for the hospital at Munsan.²

(2) (U) Big Switch involved the return of 4279 U.S. servicemen in 32 days while only 149 were returned in 6 days in Little Switch. Although the percentage of U.S. personnel among UN returnees in any one day varied, on the average during Little Switch approximately 25 per day were medically processed. This number, however, increased to over 133 per day during Big Switch. The figure 133 does not include treatment provided to the repatriated PW's of other UN states fighting in Korea.

(3) (U) The increased flow at Big Switch combined with the need to expeditiously process the returnees out of the Munsan area apparently resulted in less than thorough medical evaluations being made.³ Furthermore, this situation was apparently not rectified during the return by troopship to CONUS.⁴

From a purely physical standpoint it was extremely difficult, either at Freedom Village or aboard ship, to do adequate physical examinations on patients. Most, whether we [repatriated doctors] liked it or not were pretty psychoneurotic by this time, and felt that any pains we had was an indication of some important pathology. From the point of view of the individual and preventive psychotherapy, I believe a very thorough physical examination in a physical plant which could have been set up for that purpose would have been satisfactory.⁵

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It must be realized that there is no fault with respect to the physical setup at Freedom Village. They were limited as to time. They had so many hours to get personnel to Inchon-- in that respect there was mistake made in not taking time for evaluations. Almost all of the men [repatriates] who came out with amoebic dysentery infections, came off the ships still carrying parasites, etc.⁶

(4) (U) It should be noted that a proposal to retain the releasees for 30 days in Korea, Japan, or Hawaii was rejected.⁷ The rationale behind this proposal was to enable medical and psychiatric treatment to be carried out. The plan that was implemented called for the return of releasees via ship within about 15 days of release.

(5) (U) The delay involved in returning by sea, rather than by air, resulted in the releasees forming group ties with one another and "offered the men a necessary working through period, both for reality testing and a protective form of initial social exposure to 'outsiders'."⁸ However, it should be noted that some returnees found the shipboard routine tedious and resented being cooped up with the same personnel with whom they had been imprisoned.⁹

(6) ~~(C)~~ A psychiatric review of the cases of the 149 Little Switch repatriates showed that "the majority suffered from no marked classical psychiatric disease which could be directly attributed to their imprisonment."¹⁰ However, virtually all 149 were "emotionally dull, apathetic, and blank. They appeared initially to take little or no interest in this environment. They seemed unable to make decisions, particularly regarding the future. They gave the appearance of being suspended in time."¹¹

(7) ~~(C)~~ A total of 1,301 returnees from Big Switch received psychiatric evaluation prior to boarding ship. Thirty (2.3%) of this total required immediate hospitalization with medical disorders.¹² Another 93 (7.1%) were judged to be emotionally disturbed to such an extent that "either press and/or television interview would prove deleterious to the individual's welfare."¹³

(8) (U) About two-thirds of the returnees received psychiatric evaluation while on board ship. It should be remembered that this psychiatric interviewing was being conducted concurrently with medical

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(14) (U) These interviews confirmed the suspicion that the majority of sick and wounded had not been returned in Little Switch, which was a violation of the agreement.²² The following is a list of conditions suffered by prisoners who were repatriated at the time of Big Switch:²³

- Chronic chest conditions
- Amputation of portions of lower extremities
- Digestive disturbances
- Multiple cysts of skin
- Chronic amebiasis
- Mental illness
- Back injuries
- Severe malnutrition
- Cold injury
- Epilepsy
- Malaria
- Hemorrhoids
- Hernia

(15) (U) Once they arrived in CONUS all the returnees were treated as normal medical patients and put into medical channels. Unless immediate treatment was needed, the repatriates were permitted leave prior to reporting to their assigned medical facility.

b. ~~(c)~~ Southeast Asia, 1962-1969:

(1) ~~(c)~~ Since June 1968, Department of Defense policy has stipulated that "all returned personnel will be placed under medical auspices as soon as possible and evacuated to an appropriate facility, normally in CONUS, when medically and operationally feasible."²⁴ It was further directed that medical evacuation channels will be used to move returnees to CONUS medical facilities.²⁵ A later memorandum specified that "aeromedical evacuation to CONUS" was to be utilized.²⁶ It should be remembered that the Little Switch returnees were also evacuated by air, while the much greater numbers involved in Big Switch were returned by sea, medical condition permitting.

(2) ~~(c)~~ Personnel returned to U.S. control in-theater were delivered as quickly as possible to their parent Service for medical processing. In accordance with the small scale repatriation provisions of OPLAN J190, such personnel were processed at one of the following facilities:²⁷

(a) USARV (Army) - 24th Evacuation Hospital, Long Binh

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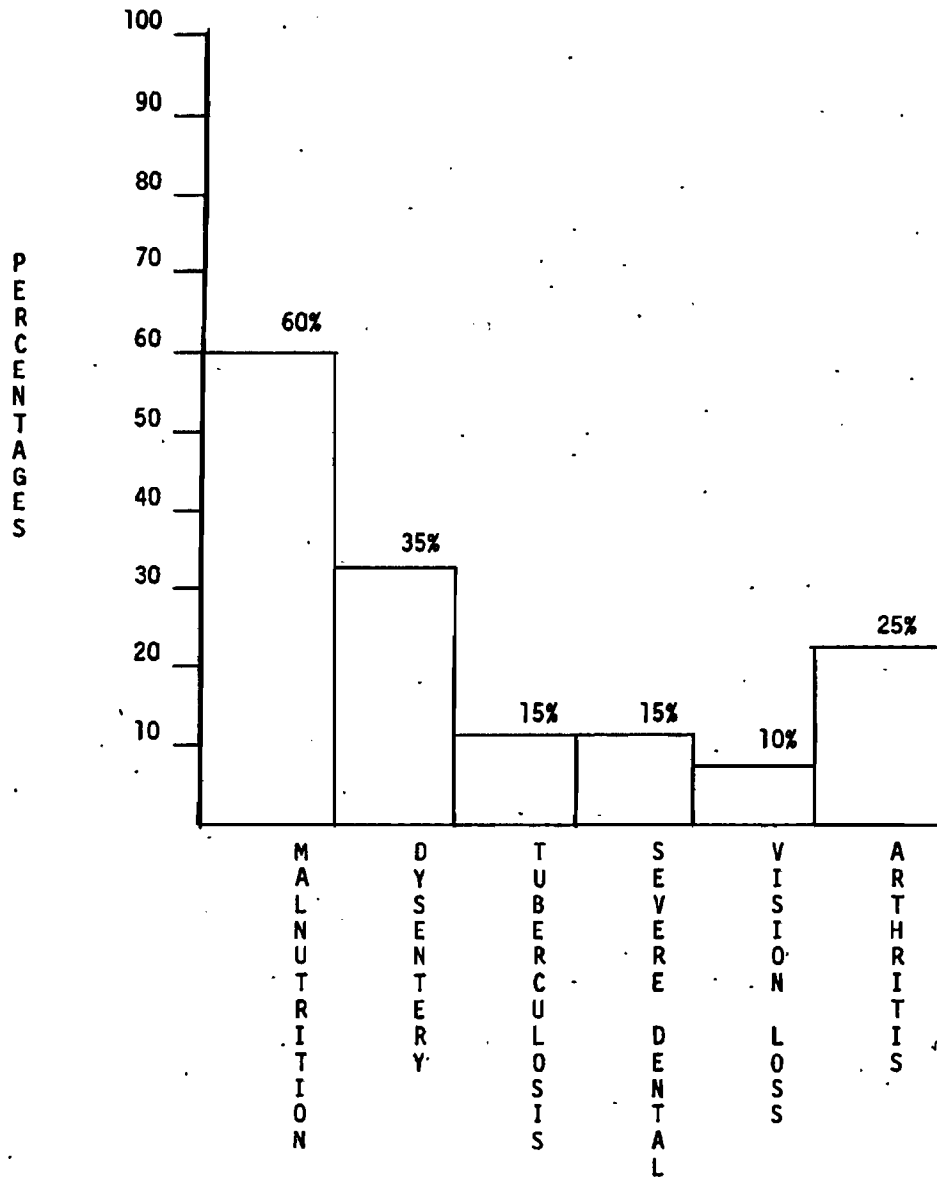
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MAJOR MEDICAL PROBLEMS EXPECTED AMONG RETURNEES



SOURCE: OTSG paper presented to the DOD Policy Committee

FIGURE 24 - MAJOR MEDICAL PROBLEMS

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- (b) NAVFORV (Navy) - USAF Hospital, Cam Ranh Bay
- (c) IIIMAF (Marines) - USN Hospital, Da Nang
- (d) 7AF (Air Force) - USAF Hospital, Cam Ranh Bay

(3) (U) The Army has implemented this plan more times than any service, since to date most returnees have been Army personnel. Only one Naval and no Air Force personnel have been released or successfully escaped in-theater; all such releases have come through neutral territory such as Laos or Cambodia.

(4) ~~(S)~~ In-Theater processing, except in unusual circumstances, was not to exceed 72 hours.²⁸ The overriding criterion in the assignment of a returnee to the CONUS medical facility was the diagnosis (i.e., nature of the illness).²⁹ Some CONUS medical installations have facilities particularly suitable for treatment of certain specific illnesses/wounds. If the returnee did not fall into one of these special medical categories, the Surgeon General's office considered both the individual's desires and his home of record in assigning him to a CONUS medical facility.³⁰

(5) (U) Past experience has shown that major physical problems are to be expected with returnees.³¹ Figure 24 gives the distribution of expected illnesses.

2. ~~(S)~~ CURRENT POLICY (MEDICAL TREATMENT):

a. ~~(S)~~ Under the heading, "Concept of Operations," the current revision of OPLAN J190 states that "upon return to U.S. military control, all recovered USPW's will receive a medical examination to determine whether immediate evacuation to the nearest medical facility capable of administering the emergency medical treatment is required."³² If the physical condition of recovered PW's permits normal evacuation, they will be transported immediately to the central processing center, if activated, or the appropriate component processing center. The "primary interest" at the in-country processing center is that "an adequate base line medical evaluation be done to assure that further evacuation will not endanger the health of the returnee."³³ The maximum allowable time for this examination, as well as in-theater debriefing, is 72 hours, unless exceptional circumstances exist.

b. ~~(S)~~ One of the five men in the Prisoner Reception Team must be a medical officer.³⁴ In the event of large scale repatriation, the

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Central Processing Center will maintain a ratio of one physician per 10 returnees.³⁵

c. ~~(S)~~ The psychiatric well being of the returnees is also of primary concern, as it was at the time of the Korean repatriations. OPLAN J190 directs that a ratio of one psychiatrist per 20 returnees be maintained.³⁶ If the number of psychiatrists in-country is insufficient to attain these rates, the CPC Commander will notify COMUSMACV which will request augmentation from CINCPAC.³⁷

d. ~~(S)~~ OPLAN J190 states that "throughout the entire operation, medical considerations will take precedence."³⁸ Other processing, to include intelligence debriefings and information policy briefings, will not commence prior to authorization by the hospital commander.³⁹

e. ~~(FOUO)~~ AR 190-25 directs that aeromedical evacuation to CONUS will take place as soon as it has been determined that "the returnee has the physical and emotional state where evacuation to CONUS is appropriate."⁴⁰ This AR further stipulates that "medical and personal considerations will be paramount in determining evacuation time and availability of the returnee for debriefing and/or contacts with the press."⁴¹

f. ~~(FOUO)~~ The Surgeon General is responsible for determining the hospital assignment of each returnee.⁴² As previously noted, the primary criterion of assignment is the diagnosis. If the diagnosis is not such as to require treatment at a specified installation, the personal preferences of the returnee and his home of record will be taken into consideration.

g. ~~(FOUO)~~ The Armed Services Medical Regulating Office (ASMRO) channels will be used for reporting when the returnee is ready for evacuation. The mission of this Office is to "regulate or monitor the transfer of patients to medical treatment facilities having the capability to provide the necessary medical care."⁴³ Overseas commanders will be notified of the hospital assignment of returnees through ASMRO subsequent to the OTSG's determination of that assignment.

h. (U) AR 40-350, "Medical Regulating to and Within Continental United States," directs that in cases which have "public information implications" the transferring hospital will furnish certain information

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to the receiving hospital.⁴⁴ Telegraphic or telephonic means will be used to communicate this information which will include:⁴⁵

- (1) Expected time and date of departures.
- (2) Mode of transportation to be used.
- (3) Estimated time of arrival at receiving hospital.
- (4) Number of ambulatory and litter patients appropriately coded.
- (5) Identification of special medical care or facilities required.
- (6) Identification by name of other persons requiring advance planning; e.g., Flag or General officers, VIP's, or persons with public information implications (include diagnosis).
 - i. (U) The request for hospital designation for repatriated prisoners of war must include "RPW" in parentheses following the symbols indicating the patient's parent service.⁴⁶
 - j. (U) CONUS aeromedical debarkation installations are the following:⁴⁷
 - (1) Scott, AFB, Illinois
 - (2) Travis AFB, California
 - (3) Lackland AFB, Texas
 - (4) Andrews AFB, Maryland
 - (5) McGuire AFB, New Jersey
 - (6) Maxwell AFB, Alabama
 - k. ~~(S)~~ There are two means of evacuation to CONUS -- air and sea. Current directives require air evacuation to CONUS. The repatriates at Little Switch likewise came back by air, but those not critically ill at Big Switch came home on troop or hospital ships. As previously noted (see page 6-65), medical personnel prior to Big Switch did recommend that a period of 30 days should elapse prior to

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return to CONUS. The purpose of this delay was to facilitate readjustment. However, this was not approved, and the fifteen-day sea voyage was adopted instead.

l. (U) Former Big Switch repatriates have indicated that the fifteen-day voyage took too long.⁴⁸ There is some evidence of resentment by the repatriates at being confined with the same men as they were within the PW camps.⁴⁹

m. (U) Recently, a recommendation was made that a "halfway house" be established. "At this halfway house, the PW and his immediate family should receive a short course on nutrition, malnutrition, accident prevention, marriage counseling, personal affairs (finance, records), and public relations."⁵⁰ Sites suggested were Garmisch (Germany), Hawaii, or some CONUS facility. This procedure would seem to be a compromise between the need for a therapeutic delay and the desire of the returnee to be reunited with his family and be reintegrated into society.

m. (U) The Navy followed a procedure similar to the halfway house concept when it brought together the crew of the USS Pueblo and their families at Balboa Naval Hospital in San Diego.⁵¹ However, one deficiency in the procedures followed in San Diego was the lack of facilities for allowing the returnees to meet with their families in privacy rather than in the large communal area which was utilized for this purpose.

o. ~~(S)~~ The Deputy Secretary of Defense has directed that upon arrival in CONUS, returnees will proceed "to the designated service hospital closest to their families in the absence of other clearly overriding considerations."⁵² Diagnosis is an "overriding consideration." The individual preference of the returnees, under some conditions, might possess sufficient merit to result in their assignment to a hospital other than to the one nearest their home of record.

p. (U) The OTSG considers 50 hospitals to be eligible in CONUS to receive returnees.⁵³ This includes the 46 Army Hospitals plus four Naval hospitals which have an Army Administrative Detachment. However, the OTSG asserts that "every effort will be made to utilize Brooke General Hospital, Fort Sam Houston, Texas; Fitzsimmons General Hospital, Denver, Colorado; Letterman General Hospital, San Francisco, California; Madigan General Hospital, Tacoma, Washington; Valley Forge General Hospital, Phoenixville, Pennsylvania; Walter Reed General Hospital, Washington, DC; and William Beaumont General Hospital, El

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Paso, Texas; as primary designations."⁵⁴ In the event of large scale repatriations, the large group of PW returnees would be initially regulated through these Class II general hospitals prior to being assigned to other Army hospitals within CONUS.⁵⁵

q. ~~(FOUO)~~ The responsible commander will request authority from TAGO, DA, to retain an enlisted returnee who has passed his ETS.⁵⁶ In cases where an officer returnee has completed an obligated tour, authority to retain him must be requested from Chief of Personnel Operations.⁵⁷ The appropriate hospital commander will be informed by debriefing or investigative personnel when this work has been completed. Medical and military considerations permitting, up to 4 weeks convalescent leave may be authorized while the debriefing information is evaluated.⁵⁸ After DA notifies the hospital commander that the returnee is eligible for release from active duty, "the hospital commander will, medical considerations permitting, initiate separation action."⁵⁹

r. ~~(C)~~ The result of this need for DA approval may be to force medical authorities to hold a repatriate beyond his ETS for reasons other than medical.⁶⁰ This is not a position consistent with the ethics of the medical profession. Clearly, if the need is felt by DA to retain a returnee on active duty after the termination of his need for medical treatment, the responsibility for doing so should lie with authorities other than medical personnel.

s. ~~(C)~~ The roles of medical and intelligence/counterintelligence personnel are distinct and care should be taken that they remain separate and are not ambiguous in the mind of the returnee. Symptomatic of the confusion that can result in this area was the inability of Big Switch returnees to distinguish medical debriefing from conduct investigation (see page 6-51).

t. ~~(C)~~ There is no question that the interest in the returnee of both medical and intelligence/counterintelligence personnel are legitimate. Yet, it is conceivable that the debriefing may work at cross purposes with medical processing. The delicate role of the debriefer is one example of this. As has already been shown, insensitive debriefing could result in the returnee feeling anxiety and/or belligerency thereby adversely affecting medical processing, especially that of a psychiatric nature.

u. ~~(FOUO)~~ The hospital commander is authorized to grant up to 90 days, nonchargeable, convalescent leave.⁶¹ AR 190-25 recommends that "short

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periods of leave with periodic returns to the hospital are most effective."⁶² The hospital commanders are directed to coordinate the granting of such periods of leave with intelligence personnel conducting the debrief "to determine if any immediate operational requirements exist which would preclude granting such leave."⁶³ The OTSG is responsible for resolving situations which cannot be settled at the unit level with respect to the granting of leaves.⁶⁴

v. ~~(FOUO)~~ When a returnee is physically ready to return to duty, it is the responsibility of the hospital commander to notify the Chief of Personnel Operations.⁶⁵

w. ~~(FOUO)~~ Hospital commanders are responsible for conducting a "special medical debriefing" which will determine in detail the medical history of the returnee during captivity and of others with whom he came in contact during that period.⁶⁶ AR 190-25 states that the medical debrief is of special significance "when later claims are processed concerning service connected disability."⁶⁷

x. ~~(FOUO)~~ "Maximum priority assistance will be provided in developing complete medical records of returnees who are to be discharged from the service."⁶⁸ VA and Red Cross representatives may assist in preparing claims for VA benefits.

y. (U) One of the problem areas for returning PW's will be readjustment. A primary factor which must be taken into account in terms of readjustment is "cultural shock." This is the "transfer from a solitary, sedate existence to a modern, fast society where the PW will be the focus of attention."⁶⁹ The impact of cultural shock has been known to have deleterious effect upon the physical and mental health of returnees. "This cultural shock has been known in the past to cause somatic symptoms such as peptic ulcers, cardiovascular disease and a tendency to accident morbidity. Symptoms of anxiety, depression, headache, insomnia, and gastrointestinal complaints are to be expected."⁷⁰ The OTSG has recommended that pictures of new automobiles, appliances, and new home town or big city construction are desirable for inclusion in packages to be mailed to PW's during captivity in order to minimize shock upon return. "Pictures of family are crucial as well. For the PW, time has stood still. In the outside world, significant changes occur to his family and society."⁷¹ (See Air Force program in Appendix K.)

z. (U) A crucial element in the readjustment of a returnee is his family. They can be instrumental in assisting an individual to

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overcome cultural shock and to be reintegrated into society. A suggestion was made to the DOD Policy Committee meeting on 4 February 1971 that a "detailed study" of home conditions be made which would include interviews "by trained psychiatric case workers in order to evaluate their position and expected behavior."⁷²

aa. (U) At the time of the Korean repatriation local chapters of the American Red Cross talked to PW families in order to give them guidance on what to expect and how to assist the returnee.⁷³ A similar program under DOD auspices has been recommended to the DOD Policy Committee.⁷⁴ This program would include "short training courses" in relevant material as well as the distribution of "a handbook defining the communicable diseases expected and the relative ease of their treatment."⁷⁵ As part of the program, "treatment of the physical disabilities must be accomplished early to prevent transmission of communicable diseases to the immediate families, but more, to allay the anxieties displayed by families. Vietnam returnees have encountered this reaction."⁷⁶

bb. (U) Another factor under readjustment is the problem of post release mortality due to accidents. Both the releasees from Japanese captivity in World War II and the repatriates in the Korean War suffered higher than usual mortality rates for a period of 10-12 years after release.⁷⁷ Accidents were the major cause of death in this period, over 50% of which were motor vehicle.⁷⁸ Consequently, driver education courses for returnees would appear as a necessary component of programs designed to assist the readjustment of returnees. This has already been recommended to the DOD Policy Committee.⁷⁹

3. (U) OTHER SERVICE PROGRAMS - See Appendix K.

4. ~~(C)~~ EVALUATION OF REQUIREMENTS (MEDICAL TREATMENT):

a. (U) General. Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon Department of the Army by National and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed in light of the Medical Treatment doctrine and execution which has been presented in paragraphs 2 a, b, and c, above. The objective of this section is to determine whether or not current Army doctrine in the area of medical treatment is adequate and, equally important, whether or not the field execution of existing doctrine requires improvement. Where either doctrine or execution or both are inadequate, remedial alternatives are presented in Appendix

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J. Discussion/Analysis Appendix, culminating in recommendations for new or revised Army doctrine where appropriate.

b. (U) Communist Management Principles. The Communist management principles generate no doctrinal requirements in the area of medical treatment.

c. ~~(S)~~ National Policy/DOD Policy Requirements:

(1) ~~(S)~~ Requirement #23: US ARMY RETURNEES WILL BE PLACED UNDER MEDICAL AUSPICES AS SOON AS POSSIBLE AND WILL BE EVACUATED TO AN APPROPRIATE FACILITY (NORMALLY IN CONUS WHEN MEDICAL AND OPERATIONAL CONDITIONS PERMIT).

(a) ~~(S)~~ Discussion:

1. ~~(S)~~ In the current conflict in Southeast Asia, OPLAN J190 recognizes that the medical needs of the returnees are paramount. The PRT must contain one medical officer whose mission is to examine returnees to determine their suitability for evacuation from the release point. In the event of large scale repatriation, OPLAN J190 requires each Service to provide one processing team for each group of 20 returnees of that Service. These teams must contain at least one medical officer. In-theater medical examinations will be a base line examination to determine whether returnees can be safely evacuated to CONUS.

2. ~~(S)~~ In the event of small scale repatriation, the in-theater processing of the US Army returnees will take place at the 24th Evacuation Hospital at Long Binh. This evacuation hospital contains sufficient facilities and medical personnel to perform the required in-theater base line examinations, as well as extensive treatment should that be necessary.

3. ~~(FOUO)~~ AR 190-25 also recognizes the priority of returnee medical conditions in the evacuation process. This AR specifies that evacuation to CONUS is contingent upon the medical status of the returnees.

4. ~~(S)~~ Both OPLAN J190 and AR 190-25 express the need for medical considerations to determine whether or not a returnee is to be evacuated to a medical facility in CONUS. Once stateside, all returnees will be assigned to a medical facility the location which is based on established criteria.

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(b) (U) Finding: US Army doctrine requires no revision.

(2) ~~(c)~~ Requirement #24: US ARMY RETURNEES WILL BE EVACUATED THROUGH NORMAL MEDICAL CHANNELS AND WILL BE PROVIDED A SUITABLE ESCORT DURING SAID EVACUATION.

(a) ~~(FOUO)~~ Discussion:

1. AR 190-25 directs that returnees will be reported for evacuation through ASMRO channels upon completion of a satisfactory base line examination. The only variation from the usual is that AR 40-350 requires that repatriated prisoners of war must be designated as such on the original request for a CONUS hospital assignment.

2. All medical evacuations from overseas to CONUS receive medical escorts as a routine procedure.

(b) (U) Finding: US Army doctrine requires no revision..

(3) ~~(c)~~ Requirement #25: ALL US ARMY RETURNEES WILL BE RETURNED TO CONUS BY AEROMEDICAL EVACUATION.

(a) ~~(FOUO)~~ Discussion: AR 190-25 requires that returnees receive aeromedical evacuation to CONUS once it has been determined that the physical and emotional state of the returnee will permit such evacuation. It is the responsibility of the Theater Army Commander to insure that returnees are introduced into the theater medical regulating channels for the aeromedical evacuation.

(b) (U) Finding: US Army doctrine requires no revision.

(NOTE: As previously indicated (see page 6-74), valid arguments exist for a therapeutic buffer period prior to returning to CONUS. See Appendix C for a fuller discussion of this matter.)

(4) ~~(c)~~ Requirement #26: MEDICAL PERSONNEL WILL PROVIDE OPTIMUM DEBRIEFING CONDITIONS CONSISTENT WITH TREATMENT.

(a) ~~(c)~~ Discussion:

1. ~~(c)~~ OPLAN J190 provides for in-theater debriefing only on matters relating to the identity and location of

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PW's still detained. The comprehensive debriefing does not take place until the return to a CONUS medical facility.

2. ~~(FOUO)~~ AR 190-25 specifically provides that commanders "will provide optimum debriefing conditions consistent with medical treatment and individual needs."⁸⁰

3. ~~(C)~~ A need exists to insure that the roles of medical and intelligence/counterintelligence personnel remain distinct. These roles could be blurred by having the hospital commander appear responsible for retention on active duty of an individual beyond his ETS when in actuality it is intelligence or counterintelligence rather than medical factors requiring such retention (see page 6-76).

4. ~~(C)~~ The EGRESS-RECAP plans of the Navy and the Marines clearly specify that retention beyond ETS is a legal not a medical matter (see Appendix K). Consequently, these Services do not burden the hospital commander with responsibility for other than medical matters.

5. ~~(C)~~ The DOD requirement does necessitate the cooperation of medical and intelligence specialists. However, the provision of "optimum debriefing conditions" is not a valid basis for burdening the medical authority with the responsibility for holding a returnee beyond his ETS when his retention is for purposes other than medical.

(b) (U) Finding: US Army doctrine requires revision and expansion.

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~~(S)~~ SECTION V: REHABILITATION (U)

1. (U) GENERAL (REHABILITATION):

a. At the conclusion of medical treatment, a returnee will either:

- (1) Separate from the Army.
- (2) Remain in the Army.

b. If an individual separates from the Service, any long term rehabilitation problems resulting from captivity will be dealt with by the Veterans Administration.

c. However, should the returnee desire to and be allowed to remain on active duty, he will receive a new duty assignment upon completion of medical treatment in a CONUS facility. In this instance, readjustment problems and recurring physical ills must be dealt with by the appropriate medical/psychiatric personnel of the Army.

2. (U) PAST PROCEDURE (REHABILITATION):

a. Korea. There were no specific Army rehabilitation programs for returnees in Operations Little and Big Switch. Those personnel who remained on active duty received whatever medical/psychiatric attention necessary through the routine channels of the Army medical service.

b. Southeast Asia. Procedures followed for returnees to U.S. control in Southeast Asia were similar to those used after the Korean exchanges. After the conclusion of medical treatment, there existed no rehabilitation programs specifically for returnees remaining on active duty.

3. (U) CURRENT PLANS:

a. There does not exist at this time any plans to implement rehabilitation programs for returnees who remain on active duty in the Army.¹ The assumption is that the medical programs and facilities in existence are capable of dealing with the rehabilitation needs of returnees, both physical and mental.

b. Medical records have the total past history of problems encountered by an individual and are available to any physician who

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may be treating him at any time during the man's career. Medical records are permanent and are retired only when the man is discharged or retired. They are then available for background by the Veterans Administration, if requested, and if needed in the man's treatment. Medical record cover sheets will be marked in addition:

"This is a former PW of SEA (EGRESS-RECAP)."

c. The Veterans Administration does not have special rehabilitation programs for those returnees who separate from the Army.² However, the need for such programs is being examined.³

4. (U) OTHER SERVICE PROGRAMS. No such programs exist.

5. ~~(C)~~ EVALUATION OF REQUIREMENTS (REHABILITATION):

a. (U) General. Listed below are the requirements generated by the Communist prisoner of war management principles developed in Chapter 2 and the requirements placed upon Department of the Army by national and Department of Defense (DOD) policy (Chapter 3). Each requirement is discussed in light of existing rehabilitation doctrine and execution. The objective of this section is to determine whether or not current Army doctrine in the area of rehabilitation is adequate and equally important whether or not the field execution of existing doctrine is satisfactory. Where either doctrine or execution or both are inadequate, remedial alternatives are presented in Appendix J, Discussion/Analysis Appendix, culminating in recommendations for new or revised Army doctrine where appropriate.

b. (U) Communist Management Principles. The Communist management principles generate no doctrinal requirements in the area of rehabilitation.

c. ~~(C)~~ National Policy/DOD Policy Requirement. DURING PROCESSING, THE WELFARE AND MORALE OF THE RETURNED USPW WILL BE OF PRIME IMPORTANCE AND ALL REASONABLE EFFORTS MUST BE MADE TO PROVIDE FOR HIS PERSONAL, PSYCHOLOGICAL, AND SPIRITUAL NEEDS.

(a) ~~(C)~~ Discussion:

1. Although this requirement pertains particularly to the short-run routine processing phase, it also has long-run implications. The clear intention is the reintegration of the returnee into society as a fully functioning citizen. It is likely

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that some returnees will require medical and/or psychiatric treatment for periods in excess of their original medical treatment in a CONUS Army medical facility. Consequently, the Army must bear the responsibility for such medical and/or psychiatric treatment for those returnees who remain on active duty.

2. The position of the OTSG is that the needs of the returnees remaining on active duty after the conclusion of post-captivity medical treatment can be, and are, adequately met through existing channels. After all, those returnees with severe medical and/or psychiatric problems will not be retained on active duty. Those so remaining will have less than disabling physical and mental disorders which the personnel and facilities in existence should be able to adequately diagnose and treat. Therefore, no specific rehabilitation program is necessary. Rather rehabilitation will be handled through existing channels.

(b) (U) Finding: US Army doctrine requires no revision.

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SECTION VI: (U) SIGNIFICANT FINDINGS

1. GENERAL:

a. This section provides in as concise a manner as possible the results of the analysis of the current Army programs for processing, evacuating, debriefing, and medically treating USPW's who have returned to US control.

b. The findings given below are the basis for the subsequent Conclusions and Recommendations found in Chapter 7.

2. FINDINGS:

a. Current Army plans for the processing and evacuation of returned prisoners of war are generally adequate. Medical resources and plans are in accordance with DOD directives and the needs of the returnee. PW and news media relationship is not thoroughly defined, and the current directives lack the requisite emphasis on the welfare of the PW.

b. DA debriefing plans are in accordance with DOD guidance but contain references which imply conduct investigations rather than intelligence acquisition. These references and the current guidance on reading Article 31, UCMJ, during initial debriefing establish a precedent which is detrimental to both intelligence acquisition and returnee rehabilitation.

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FOOTNOTE REFERENCES

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3. Robert Alden, " 'Freedom Village' Awaits Prisoners," New York Times (April 4, 1953), p. 2.
4. See the text of the agreement, New York Times (April 11, 1953), p. 3.
5. New York Times (April 20, 1953), p. 1.
6. Ibid. (May 8, 1953), p. 4.
7. Ibid. (May 2, 1953), p. 1.
8. Ibid. (April 24, 1953), p. 4.
9. Ibid. (May 5, 1953), p. 3.
10. See the text of the agreement, New York Times (July 27, 1953), p. 3.
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12. Ibid. (August 6, 1953), p. 3.
13. Ibid. (August 12, 1953), p. 3.
14. Commander's Digest (January 16, 1971), p. 7.
15. Memorandum from Paul H. Nitze, Deputy Secretary of Defense to the Service Secretaries and to the Chairman, JCS (CONFIDENTIAL) (8 June 1968).
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17. Dep Sec Def Memorandum (8 June 1968), op. cit.
18. Ibid.
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20. Detailed plans for large scale repatriation are contained in Annex AA of COMUSMACV OPLAN No. J190 (EGRESS RECAP) (CONFIDENTIAL).
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23. Annex R, COMUSMACV OPLAN No. J190 (EGRESS RECAP) (CONFIDENTIAL), p. R-2.
24. Ibid., p. R-3.
25. Ibid., p. R-5 and R-6.
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27. Ibid.
28. Ibid.
29. Ibid., p. R-6.
30. Ibid., p. R-7.
31. Ibid., p. R-8.
32. Ibid., p. R-9.
33. Ibid., p. R-10.
34. Official Draft AR 190-25 "Captured, Missing, or Detained US Army Personnel: Administration, Return, and Processing" (~~FOR OFFICIAL USE ONLY~~), p. 14.
35. Ibid., p. 18.
36. Ibid., p. 19.

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38. Ibid., p. 27.
39. Ibid.
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41. Ibid., p. 29.
42. Ibid., p. 9.
43. Ibid., p. 35.
44. Ibid.
45. Ibid., p. 36.
46. Detailed plans for small scale repatriation are contained in Annex AB of COMUSMACV OPLAN No. J190 (EGRESS RECAP) (CONFIDENTIAL).
47. Ibid., p. AB-1.
48. Ibid., p. AB-3.
49. AR 190-25, op. cit., p. 2.
50. Ibid., p. 5.
51. Ibid., p. 15.
52. Annex R, op. cit., p. R-2.
53. AR 190-25, op. cit., p. 18.

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2. Ibid., April 21, 1953, p. 1.
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5. Annex 2 (Revised), Intelligence Processing and Procedures for Big Switch, 6 July 1953, (~~CONFIDENTIAL~~), p. 2.
6. Ibid., p. 1.
7. Interviews conducted in February 1971, with former Big Switch Repatriates currently on active duty at Fort Bragg, N.C.
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12. Ibid.
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14. OTPMG Summary of Korean PW Court Martials, p. 1.
15. AR 381-130, "Counterintelligence Investigations: Supervision and Control," (U) (10 June 1966), p. 1-2.
16. FM 30-15, Intelligence Interrogation, March 1969, p. 1-2.
17. Ibid.
18. Interviews conducted in March-April, 1971, with returnees from enemy control in Southeast Asia.
19. Appendix V, AR 381-130, op. cit., p. 4d.
20. Attachment 3, FM 21-77A, p. 59.
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42. Ibid.
43. USAINTC Regulation 381-100, p. 5-34.
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49. Ibid., p. 5-38. (NOTE: This regulation is currently [Feb 72] under revision to eliminate references to FM 30-15.)
50. AR 190-25, op. cit., p. 23.
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8. Robert T. Lifton, "Home by Ship: Reaction Patterns of American Prisoners of War Repatriated from North Korea," American Journal of Psychiatry (April 1954), p. 739.

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30. Ibid.
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33. Ibid.
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37. Ibid.

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44. Ibid., p. 1-3.
45. Ibid.
46. Ibid.
47. Ibid., Appendix B, p. B-1.
48. Interviews conducted in February 1971 with Big Switch repatriates on active duty at Fort Bragg, North Carolina.
49. Ibid.
50. OTSG paper, op. cit.
51. Lloyd Bucher, Bucher: My Story (New York, 1970).
52. Nitze Memorandum (18 January 1969), op. cit.
53. Letter from OTSG to USACDCISSO, Ft Bragg, NC (U), (17 March 1971).
54. Ibid.
55. Letter from OTSG to USACDCISSO, Ft Bragg, NC (U), (20 April 1971).
56. AR 190-25, op. cit., p. 26.
57. Ibid.
58. Ibid.

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59. Ibid., p. 27.
60. OTSG representative, op. cit.
61. AR 190-25, op. cit., p. 26.
62. Ibid.
63. Ibid.
64. Ibid.
65. Ibid.
66. Ibid., p. 26.
67. Ibid.
68. Ibid., p. 26.
69. OTSG paper, op. cit.
70. Ibid.
71. Letter from Chief, Communicable Disease and Immunology Research Branch, Preventive Medicine Research Division, OTSG to Casualty Division, TAG (U) (10 February 1971).
72. OTSG paper, op. cit.
73. New York Times (April 4, 1953), p. 3.
74. OTSG paper, op. cit.
75. Ibid.
76. Ibid.
77. M. Dean Nefzger, "Follow-up Studies of World War II and Korean War Prisoners," American Journal of Epidemiology (1970), p. 123.
78. OTSG paper, op. cit.

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79. Ibid.

80. AR 190-25, op. cit., p. 22.

SECTION V: (U) REHABILITATION

1. Letter from DA, OTSG to USACDCISSO (U), 20 April 1971.

2. Ibid.

3. Ibid.

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CHAPTER 7

(U) CONCLUSIONS AND RECOMMENDATIONS (U)

1. (U) GENERAL:

a. This chapter presents major conclusions and recommendations derived from the study. They represent consolidations of more specific conclusions and recommendations found in Volume III at the end of the three discussion/analysis appendices, H, I, and J.

b. These major conclusions and recommendations are based upon findings identified in Chapters 2 and 3 (Volume II, Part 1) and Chapters 4, 5, and 6 (Volume II, Part 2). The actual findings are located at the end of the respective chapters.

c. Additional recommendations are located in the Follow-On Action Appendix; APPENDIX C (Volume II, Part 3). These represent actions which require independent investigation by specific activities within Department of the Army.

2. (U) CONCLUSIONS: Based on the analysis of Communist PW Management Principles, current direction provided to DA at the national and DOD level, and doctrine/policy as it is presented in current Army publications, it is concluded that:

a. US military personnel captured by Communist countries will be subjected to PW management principles and techniques designed to further the captor's political and military goals. Individual survival of the USPW will depend in large measure upon his ability to cope with these principles and lessen their psychological and physical impact. [See recommendation 3a, b, c, and d.]

b. US Army SERE training must be as current and realistic as possible, incorporating the best features of the other services as applicable. A cornerstone principle must be that the US soldier receive such training as is commensurate with his risk of capture potential. [See recommendation 3a, b, c, and d.]

c. Strict adherence to name, rank, serial number, and date of birth as the sole resistance to enemy interrogation/indoctrination is unrealistic. DA must establish positive guidelines which will assist the soldier to resist enemy manipulation to the utmost of his ability. [See recommendation 3a, b, c, d, and e.]

d. Captured US military personnel will be faced with situations and circumstances not adequately addressed in current doctrine and

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training. The soldier should be given guidance as to what he may expect from his captors, what he can do for himself to aid his survival, and what the US government will be doing for him and his family. [See recommendations 3a, b, and d.]

e. Current assistance programs adequately provide for known and anticipated needs of next of kin. To improve consistency in implementation by local commanders, additional DA guidance should be provided concerning selection of personnel for notification and assistance of next of kin. To reduce unnecessary emotional strain on the NOK, a new procedure for the delivery of personal effects should be established. [See recommendations 3f and g.]

f. Procedures relating to the evacuation and processing of returnees are adequately defined to permit implementation at the action level. Stronger emphasis in the regulations on the welfare and morale of returnees is needed, however, to insure that this remains a paramount consideration during each step of the repatriation process. [See recommendation 3h(1).]

g. Returnees will experience emotional stress after their return to freedom and families. Reunion of returnees with their families under ideal conditions (half-way house concept), devoid of official pressure and public exposure, might lessen the shock of repatriation and facilitate their return to society. [See recommendation 3i.]

h. Returnees require additional guidance on what they may and may not reveal to the press in order to protect the interests of the returnee, other USPW's, and the US government. [See recommendation 3h(2).]

i. During debriefing, the use of DA prescribed material intended for conduct type investigations and the reading of Article 31, UCMJ, may cause many returnees to believe that the primary purpose of the debriefing is to investigate their conduct during captivity rather than to acquire intelligence information. [See recommendation 3j.]

3. (U) RECOMMENDATIONS: It is recommended that:

a. DA (ACSFOR) task CONARC, in coordination with USACDC, to develop a resistance training program structured to account for varying "risk of capture potential" which incorporates practical instruction on:

¹ This training program should include a film series similar to the CIA "Risk of Capture" program to insure uniform presentation of material and proper correlation between topical subjects (1) thru (8).

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- (1) Communist PW management principles.
- (2) Psychological stresses of captivity.
- (3) Evasion and escape.
- (4) Code of Conduct.
- (5) Resistance to interrogation, indoctrination, and exploitation.
- (6) Internment survival.
- (7) Personal affairs and Army NOK assistance programs.
- (8) Geneva and Hague Conventions.

b. DA (ACSFOR) task CONARC, in coordination with USACDC, to revise its doctrinal/technique literature using the results of this study to present those subjects, tactics, and techniques, which have been identified as practical aids to the soldier in his efforts to survive the rigors of internment, and to resist the manipulative efforts of his captors.

c. As an interim measure to a and b above, DA task CONARC, in coordination with USACDC, to publish a pamphlet enumerating and explaining the Communist PW management principles and further, that CONARC and overseas commanders be tasked to use the CONARC pamphlet as source material to insure that every US Soldier is appropriately instructed in Communist PW management principles.

d. DA (ACSFOR) revise those regulations (AR 350-30 and AR 350-225) most directly related to Code of Conduct policy so that required doctrine and training insure the individual soldier is provided positive guidance, to include practical techniques, on how to resist Communist interrogation and indoctrination to the utmost of his ability.

e. DA recommend to DOD that a comprehensive interservice/inter-departmental review be conducted of the Code of Conduct and DOD implementing instructions to determine their current adequacy in light of Communist PW management principles and USPW experiences since the Korean War. The review should take cognizance of the fact that DOD implementing instructions do not allow the flexible response to Communist treatment that is necessary if the USPW is to preserve US national security interests and, concurrently, his own health and well being.

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f. DA (TAGO) publish explicit selection criteria for personnel to be used in the NOK notification and family assistance programs. Further, that DA (TAGO) request the Inspector General to make subject programs a matter of increased emphasis during Annual Inspections.

g. DA (DCSLOG) direct the Office of the Chief of Support Services to review the feasibility of shipping MIA/PW personnel's personal effects to the installation nearest the primary next of kin for delivery by the FSAO.

h. DA (TAGO) revise AR 190-25 to include:

(1) A comprehensive and detailed "concept of operations" which places proper emphasis on the returnee's welfare and morale during each step of the processing procedure.

(2) Comprehensive public information instructions which clearly delineate the desired returnee/news media relationship.

i. DA (OTSG) examine the advisability of incorporating a "half-way house" concept as part of the rehabilitation program for returnees and, if considered feasible, make recommendations to DOD for Army implementation.

j. DA (TJAG) publish guidance which eliminates, except for cases specifically designated by DA (ACSI/DCSPER), the necessity for any reading of Article 31, UCMJ, during the initial debriefings of returned US Army Prisoners of War when such debriefings are for intelligence purposes only and not associated with conduct investigation.

NOTE: The above recommendations, when implemented, will generate requirements to revise related DA publications accordingly. Recommended actions (revisions and/or additions) on Army regulations, pamphlets, doctrinal literature (FM's), subject schedules, and other publications are provided on the following pages:

<u>FIGURE NO.</u>	<u>TITLE</u>	<u>PAGE NO.</u>
25	Recommended Actions to be Taken in Regard to Department of the Army Regulations and Pamphlets	7-7
26	Recommended Actions to be Taken in Regard to Army Doctrinal Literature	7-15
27	Recommended Actions to be Taken in Regard to Army Subject Schedules. (ASubjScd)	7-21

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FIGURE NO.

TITLE

PAGE NO

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Recommended Actions to be Taken in Regard
to Other Army Publications

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
TAGO	AR 190-25: Captured, Missing, or Detained US Military Personnel; Administration, Return, and Processing	Policies and procedures for the administration and processing of returned Army PW's.	<p>Add a "concept of operations" which identifies key steps in the processing procedure and explicitly requires maximum consideration for the returnee's welfare and morale in each step.</p> <p>Direct that all implementing intelligence debriefing plans avoid references to techniques, policies, and guidance associated with conduct investigations.</p> <p>Relieve medical authorities from the responsibility of retaining returnees beyond ETS when such retention is for other than medical reasons.</p> <p>Provide additional guidance as to what the returnee is permitted to say and not say when dealing with the news media.</p>
ACSFOR	AR 350-30: Education and Training; Code of Conduct	Guidance for the establishment and maintenance of training programs in support of the Code of Conduct.	Expand upon what the USPOW may say to his captor and provide examples (e.g., PW may discuss routine living and working conditions, literature provided by his captors, sports

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FIGURE 25. Recommended Actions to be Taken in Regard to Department of the Army Regulations and Pamphlets

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
17-Apr-2009 This document has been declassified IAW EO 12958, as amended, per Army letter dated March 5, 2009	AR 350-30 (continued)		<p>hobbies, and health, food, and welfare items sanctioned by the GPW-1949. He may not discuss anything which jeopardizes US national interests or his fellow PW.).</p> <p>Include guidance that when undergoing interrogation, claims of inability to think, comprehend, or talk constitute adherence to Article V, Code of Conduct.</p> <p>Clarify that under duress responses beyond name, rank, serial number and date of birth may be permissible. However, each response may be subsequently reviewed under the UCMJ in light of the circumstances under which the response was made and the nature of the response itself.</p> <p>Correct applicable portion of AR to bring it into conformity with current DOD guidance which states that: "All training programs will impress upon every soldier that the PW compound is <u>in many ways</u> an extension of the battlefield."</p>

<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
	AR 350-30 (Continued)		Include instructions that Code of Conduct training is a significant part of the overall concept of resistance and relates directly to Survival, Evasion and Escape, and the Geneva and Hague Conventions; that such courses as First Aid, Field Sanitation, and Physical Readiness are pertinent to the survival of a PW.
ACSFOR	AR 350-216: Training: The Geneva Conventions of 1949 and Hague Convention No. IV of 1907	Guidance relative to the nature and application of the Geneva Conventions of 1949 and the Hague Convention No. IV of 1907.	No Change Required.
ACSFOR	AR 350-225: Survival, Evasion and Escape Training	Guidance concerning the principles and application of doctrine for survival, evasion, and escape.	Expand the scope to require that training provide positive guidance to the US soldier on what he can say to his captor and still be within the guidelines of the Code of Conduct. Direct that instruction be given the US soldier on the psychological depression experienced at the time of capture and during internment and that this depression may adversely affect his will to resist.

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
	AR 350-225: (Continued)		Include instructions that Survival, Evasion, and Escape training is a significant part of the overall concept of resistance and relates directly to Code of Conduct, Geneva and Hague Conventions, and such survival courses as First Aid, Field Sanitation and Physical Readiness.
			Provide that instruction will be given the US soldier on the nature and effects of isolation and what actions he can take to lessen these effects.
			Clarify the distinction in character, handling, and debriefing of the "defector" versus "the involuntary detainee."
			Explicitly indicate that the interrogation techniques identified in the Appendix are not applicable to debriefing returned prisoners of war.
			Expand selection criteria for notification personnel to better assure quality personnel representing Department of the Army.
ACSI	AR 381-130: Counter-Intelligence Investigations: Supervision and Control	Policies and procedures for the conduct and control of counter-intelligence investigations.	
TAGO	AR 600-10: The Army Casualty System	Basic guidance for the implementation and maintenance of the system for assistance to next of kin and PW/MIA.	

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
	AR 600-10 (Continued)		<p>Add a section which provides explicit guidance on selection of personnel to serve as Family Services and Assistance Officers (FSAO). This section should also delineate the duties to be performed by the FSAO.</p> <p>Add a brief synopsis of all services and assistance programs available to next of kin of PW's.</p>
OCSS	AR 643-50	Policies for the disposition of effects of persons who are deceased or missing when such effects are under the control of Army authorities.	<p>Clarify the applicability of the regulation to categories of Missing in Action and Prisoner of War.</p> <p>Stipulate in cases of MIA/PW personnel that personal effects will be shipped to the military installation closest to the assigned Primary Next of Kin for delivery by the Family Services and Assistance Officer.</p>
TJAG	DA Pam 27-161-2: International Law, Vol II	Information and reference material for the military lawyer in respect to customary and treaty law applicable in the field of	No change required.

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Action</u>
	DA Pam 27-161-2 (Continued)	international law. It includes the text of the Geneva/Hague Conventions with a minimum of commentary.	
ACSI	DA Pam 30-101: Communist Interro- gation, Indoctrination and Exploitation of Prisoners of War	Description of pri- soner of war manage- ment utilized by the Communists during World War II and the Korean conflict.	Expand to include those speci- fic Communist PW management techniques identified in this study and an explanation of their purpose and application. Provide positive examples of successful resistance derived from case histories of re- turned USPW's from North and South Vietnam
CINFO	DA Pam 360-522: The US Fighting Man's Code	Pamphlet for joint usage which provides applications of the Code of Conduct to contemporary situa- tions.	Identify techniques for limit- ing the effects of segregation, isolation and interrogation. Provide expanded guidance on what the USPW may or may not say to his captor under duress, identifying as many positive points as possible. Primary emphasis should be placed on the fact that adherence to name, rank, serial number and date of birth may not be prac- tical but that any further

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Regulation/Pamphlet

Description

Recommended Action

DA Pam 360-522
(Continued)

response may be subsequently judged under the UCMJ in light of the circumstances and the nature of the response.

Expand to include positive examples of successful resistance derived from case histories of returned USPW's from North and South Vietnam.

TAGO

New Pamphlet

A comprehensive listing and explanation of services and assistance programs available to the next of kin of Army PW/MIA's. Pamphlet to include duties of the FSAO.

Recommend that subject pamphlet be published by Department of the Army.

Material should be written for easy reading and understanding by non-military next of kin.

NOTE: Immediately prior to publication of this Study, TAGO published two separate pamphlets: DA Pam 608-33 dealing with FSAO duties, and DA Pam 608-34 on assistance available to NOK of MIA/PW personnel.

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<u>Proponent</u>	<u>Field Manual</u>	<u>Description</u>	<u>Recommended Action</u>
OTSG	FM 21-10: Field Hygiene and Sanitation	Measures to preserve health and prevent disease; does not address the internment environment.	Expand to include the importance of proper hygiene for survival during internment. Provide narrative and graphics on sanitation techniques which use primitive tools/materials for possible use during internment.
OTSG	FM 21-11: First Aid for Soldiers	Lifesaving measures and treatment of specific injuries; handling of common emergencies. Does not address the PW internment environment.	Include the identification and treatment of diseases and injuries which may be incurred during internment.
CONARC	FM 21-13: The Soldier's Guide	Army life and fundamentals for the development of the individual soldier.	No change required.
CONARC	FM 21-20: Physical Readiness Training	Physical readiness training and individual and group physical exercises. Does	Identify specific physical exercises most beneficial to the cardiovascular system which can be performed in an internment environment.

FIGURE 26. Recommended Actions to be Taken in Regard to Army Doctrinal Literature:

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<u>Proponent</u>	<u>Field Manual</u>	<u>Description</u>	<u>Recommended Action</u>
	FM 21-20 (Continued)	not specifically address the PW internment environment.	
CONARC	FM 21-75: Combat Training of the Individual Soldier and Patrolling	Techniques for the individual soldier and small unit leader relative to battlefield skills to develop combat efficiency. Code discussion limited to listing of six articles.	Expand the SE&E segment to provide broad <u>positive</u> guidance on what the PW can say to his captor (specific details to appear in FM 21-76). Include explanation of how the psychological depression experienced during capture adversely impacts upon self discipline and the will to resist.
7-16 CONARC	FM 21-76: Survival, Evasion, and Escape	Techniques to assist the US soldier to evade capture, escape from the enemy, and survive during evasion and/or escape. Minimum information is provided on the internment environment.	Recommend that CONARC, in coordination with CDC, revise FM 21-76 to incorporate comprehensive guidance on key survival, evasion, resistance, and escape techniques; change title of manual to "Survival, Evasion, Resistance, and Escape." Manual should contain as a minimum the topics listed below: A detailed description of the Communist PW management principles and their application.

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Field Manual

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Recommended Action

FM 21-76
(Continued)

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The psychological effect of capture and how this effect lessens the ability and desire to resist.

Detailed guidance on beneficial physical exercises that can be performed while a PW; appropriate and realistic field sanitation techniques which can be applied while interned; and how to identify and treat common internment diseases/injuries using only materials common to the internment environment.

Techniques for limiting the success or effects of interrogation, indoctrination, segregation, isolation, and exploitation. Emphasis should be placed on the value of group resistance which can be gained through camp organization and adherence to a chain of command.

Explanation of what may or may not be discussed with the captor,

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Field Manual

Description

Recommended Action

FM 21-76
(Continued)

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providing as many positive (can discuss) points as possible. Clarify that response beyond name, rank, serial number, and date of birth in the face of duress may be permissible however, each response may be subsequently judged under the UCMJ based upon the circumstances under which the response was made and the nature of the response itself.

Guidance on escape and evasion which incorporates the latest experience data obtained from the low intensity, low PW population conflict in Southeast Asia.

An outline of the various assistance programs provided to the next of kin of PW/MIA Army personnel.

A brief discussion on the application of the GPW-1949 to the USPW; its guidance as to escape and violence committed in connection with escape, and the impact of the Communist

<u>Proponent</u>	<u>Field Manual</u>	<u>Description</u>	<u>Recommended Action</u>
	FM 21-76 (Continued)		reservations to Article 85 on what the PW says or writes while a captive. Provide information concerning the protection to which the USPW is entitled under GPW 1949. Include stipulation that if captured by a Communist power, the USPW may be categorized as a war criminal and not treated in accordance with the provisions of the GPW.
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CONARC/ USACDC	New Manual	Doctrine/Techniques to aid in surviving internment, resisting the captor, escaping and evading.	In the event incorporation of material into FM 21-76 as recommended above makes that manual too bulky, recommend a new manual FM 21-77 "Doctrine for Prisoners of War" be published.
US Air Force (CDC input)	FM 21-77A: Joint Worldwide Evasion and Escape Manual	Joint doctrine designed to enable the US serviceman to evade capture and escape from enemy control and survive during escape and/or evasion.	Provide a detailed description of the Communist PW management principles and their application. Explain the psychological effect of capture and captivity and how this effect lessens the ability and desire to resist.

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<u>Proponent</u>	<u>Field Manual</u>	<u>Description</u>	<u>Recommended Action</u>
	FM 21-77A (Continued)		Revise guidance on escape and evasion to incorporate the latest experience data obtained from the low intensity, low PW population conflict in Southeast Asia.
USACDC	FM 27-10: The Law of Land Warfare	Doctrine based upon laws and treaty agreements applicable to the conduct of land warfare; includes the text of Hague/Geneva Conventions with minimum commentary.	No change required.
CONARC	FM 30-15: Intelligence Interrogation	Techniques for the conduct of interrogations and debriefings.	Delete all data which states or implies that this manual is applicable to US escapees, evaders, and returnees and substitute a comment that some of the procedures contained therein may be applicable in certain cases to investigations of conduct when such investigations are directed by appropriate headquarters with a reference to AR 190-25.

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<u>Proponent</u>	<u>ASubjScd</u> ¹	<u>Description</u>	<u>Recommended Actions</u>
CONARC	ASubjScd 21-3: Field Sanitation	Material for training programs in support of personal hygiene and field sanitation. The application of the PW internment environment is not addressed.	Expand to include guidance on rudimentary field sanitation measures in an internment environment. Emphasize that personal cleanliness and area sanitation significantly enhances survival as a prisoner of war.
CONARC	ASubjScd 21-4: First Aid	Material for a training program in support of first aid for soldiers. Addresses primarily traumatic injuries and does not relate to the PW internment environment.	Expand to include guidance in the recognition of common internment diseases and rudimentary treatment using primitive medicines and materials.

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¹ To insure uniform presentation of material and proper correlation between various topical subjects which have impact in the area of doctrine for captured/detained US military personnel, it is recommended that consideration be given to presenting the material through the media of a film series segmented to account for the psychological stresses of captivity and the Communist management principles, the counters to those principles, specific survival requirements and techniques, and programs to assist next of kin of Army PW/MIAs. Personnel whose risk of capture is high due to duty assignment should be identified and Survival, Evasion, Resistance, and Escape training programs adjusted to provide these personnel more comprehensive and intensive instruction than that given low risk personnel.

FIGURE 27. Recommended Actions to be Taken in Regard to Army Training Schedules

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<u>Proponent</u>	<u>ASubjScd</u>	<u>Description</u>	<u>Recommended Actions</u>
TSG	ASugjScd 21-11: Personal Hygiene	Training program on personal hygiene. Schedule does not provide guidance or training for coping with a primitive or deprived environment.	Include a brief explanation of techniques which can and must be used in order to survive a primitive or deprived environment such as captivity.
CONARC	ASubjScd 21-12: Survival, Evasion, and Escape	Training program on survival, evasion, and escape. Schedule includes topics pertinent to the internment environment.	Expand introduction to permit correlation to this subject with field sanitation, personal hygiene, first aid, and physical conditioning.
CONARC	ASubjScd 21-15: Code of Conduct	Training program on Code of Conduct.	Expand required instruction and supplemental material to incorporate explanation of the Communist PW management principles. Provide positive examples of what the PW can say to his captors to evade giving substantive information or information harmful to his fellow PWs or the nation. Stress the fact that disclosure of information beyond name, rank, serial number, and date of birth

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ASubjScd

Description

Recommended Actions

ASubjScd 21-15
(Continued)

under duress is not in itself a violation of the UCMJ but will be judged in light of the circumstances and the nature of the disclosure.

Emphasize the role and importance of camp organization (overt or covert) and adherence to chain of command in disrupting the effects of segregation.

Expose the Communists' use of isolation as a conditioning technique and provide the US soldier with measures he can use to lessen the effects of isolation.

CONARC

ASubjScd 21-37:
Physical Training

Training program to develop concepts and applications of physical training techniques. The directive does not address the internment environment.

Provide a brief explanation on practical and beneficial physical exercises which can be performed in the internment environment. Subject exercises should be beneficial to the cardiovascular system and able to be performed without props and in an internment environment.

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<u>Proponent</u>	<u>ASubjScd</u>	<u>Description</u>	<u>Recommended Actions</u>
CONARC	ASubjScd 27-1: The Hague and Geneva Conven- tions	Training program to delineate the Articles of the Geneva Conven- tions of 1949 and the Hague Convention No. IV of 1907.	No Change Required.

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<u>Proponent</u>	<u>Regulation/Pamphlet</u>	<u>Description</u>	<u>Recommended Actions</u>
USAINTC	OPLAN 107-71: Prisoners of War Debriefing Plan (EGRESS RECAP - Army)	Operational Guidance for CONUS debriefing of former Army USPW's. This OPLAN is executed only in the event of mass (11 or more returnees) or continuing repatriation.	Eliminate the conduct investigation tenor by deleting all reference to development of procedures based on AR 381-130.
USAINTC	USAINTC Reg 381-100 Debriefing Guide for the Processing of Returned US Personnel (RECAP)	Policy for the CONUS USPW debriefing during small scale repatriation is considered less than 11 USPW's and not continuous.	Eliminate the implications of conduct orientation as a primary debriefing consideration by deleting all reference to FM 30-15 as a guide for developing interrogation debriefing procedures.

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FIGURE 28. Recommended Actions to be Taken in Regard to Other Publications