2 August 2013

Assignments, Details, and Transfers

PROCESSING FORMERLY CAPTURED U.S. MILITARY PERSONNEL

*This regulation supersedes USFK Regulation 600-200, dated 11 August 2011.

FOR THE COMMANDING GENERAL:

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OFFICIAL:



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Summary. This regulation establishes United States Forces Korea (USFK) policies and procedures for Processing Formerly Captured U.S. Military Personnel.

Applicability. This regulation applies to units and activities assigned, attached, or under the operational control (OPCON) of USFK.

Supplementation. Issue of supplements to this regulation by subordinate commands is prohibited unless prior approval is obtained from USFK J1 (FKJ1-11), Unit #15237, APO AP 96205-5237, at pacom.yongsan.usfk.mbx.j11-workflow@mail.mil.

Forms. USFK forms are available at http://www.usfk.mil/usfk/.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information System website at https://www.arims.army.mil.

Suggested Improvements. The proponent of this regulation is USFK J1 (FKJ1-11). Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the USFK J1 (FKJ1-11), Unit #15237, APO AP 96205-5237, email: pacom.yongsan.usfk.mbx.j11-workflow@mail.mil.

Exception Authority. Requests for exceptions to policy or waivers will be submitted through the USFK J1 and coordinated with the USFK Office of the Judge Advocate. Only the Commander and Chief of Staff, USFK, have the authority to approve exceptions or waivers to this regulation.

Distribution. Electronic Media Only (EMO).

CONTENTS

- Purpose
 References
- Explanation of Abbreviations and Terms
 Commander's Intent
 Responsibilities

Glossary

1. Purpose

This regulation assigns responsibilities for the Phase I processing of formerly captured/missing U.S. military personnel. U.S. civilian personnel may be processed using these procedures.

2. References

- a. Commander, United States Forces Korea (USFK) Operations Plan (COMUSFK OPLAN) 5027.
- b. DoDI 2310.04 Repatriation of Prisoners of War (POW), Hostages, Peacetime Government Detainees and Other Missing or Isolated Personnel (21 Nov 00)

3. Explanation of Abbreviations and Terms

Abbreviations and terms used in this regulation are explained in the glossary.

4. Commander's Intent

Establish USFK regulatory guidance on Processing of Formerly Captured U.S. personnel.

5. Responsibilities

- a. The Assistant Chief of Staff (ACofS) J1 will -
- (1) Relay notification received via the United Nations Command Military Armistice Commission regarding the date/time, circumstances of release, and identification of returnees to the Commander, U.S. Pacific Command (J12) by an IMMEDIATE AUTODIN (Automatic Digital Network System) message, with an information copy to Commander, Eighth Army (G1), Commander, 7th Air Force (A1), Commander, United States Naval Forces Korea (N1), Commander, U.S. Marine Corps Forces, Korea (MARFOR-K G1), Commander, Special Operations Command Korea (SOCKOR), USFK Public Affairs Officer, and the American Embassy Seoul.
- (2) Contact the Phase I quick reaction reception team (HQ PACAF) for assistance in Phase I processing.
 - (3) Appoint officer(s) to assist returnee(s) during Phase I processing.
- (4) If required, establish a Phase I processing center (depending on the number of returnees).
 - b. The Phase I Assistance Officer will -
 - (1) Arrange for an appropriate greeting of the returnee(s).
 - (2) Coordinate with 65th Medical Brigade for initial medical evaluation.
 - (3) Alert the J2X ACofS J2 to conduct the appropriate intelligence debriefing.
 - c. The ACofS, J2 will -
- (1) Coordinate with the appropriate service counterintelligence or special intelligence agencies for debriefing of returned personnel in accordance with USCINCPACINST 3461.1F (dtd 6 Jan 03).

- (2) Intelligence debriefings will be designed to obtain information on other detained or missing personnel, to identify known deceased, detained, or missing personnel, and to obtain perishable information of immediate tactical or sensitive value. All other intelligence requirements will be deferred until the returned U.S. personnel arrive in the Continental United States (CONUS).
- (3) Review, analyze, and determine proper disposition of information obtained during debriefings of returned personnel.
- (4) If the returnee is a Military Service member and reveals information implicating himself or herself in a potential violation of the Uniform Code of Military Justice or other U.S. criminal law and the debriefer is a military member or a DoD employee, the debriefer shall stop debriefing and inform the returnee of his or her rights under Article 31(b), UCMJ. If the returnee requests counsel or does not desire to continue the debriefing, the debriefing will cease until counsel is obtained. If the returnee does not request counsel and agrees to continue with the debriefing, the debriefing may continue. If the returnee is a DoD civilian or DoD contractor employee and the reveals information implicating himself or herself in a potential criminal offense under U.S. criminal law, the debriefer will cease questioning and consult with a judge advocate or an attorney assigned to the U.S. Attorney's Office before continuing.
- d. The ACofS, J4 will coordinate with the <u>Eighth Army</u> for the transportation of returnee(s) from the point of release to the designated Phase I processing location.
- e. The USFK Command Surgeon will coordinate with Eighth Army to have the 65th Medical Brigade schedule aero medical evacuation to a USPACOM Processing Center.
- f. The Commanders, Eighth Army, <u>7th Air Force</u>, <u>United States Naval Forces-Korea</u>, Commander, U.S. Marine Corps Forces, Korea, and Special Operations Command Korea will -
- (1) To the extent possible, verify the identity of each returnee using available personnel data and previously submitted formerly captured, missing, or detained personnel reports.
- (2) Report the release through appropriate personnel channels following identity verification.
- (3) Arrange for an appropriate greeting of the returnee(s) from their proper service component.
- (4) Returnee(s) requiring military clothing items should be authorized a gratuitous partial issue through the Military Clothing Sales Store (MCSS) or other service component sources in accordance with respective service regulations. This issue should consist of the minimum amount of uniform clothing necessary to maintain acceptable standards of appearance, up to the minimum traveling uniform. Service components will ensure the issue process can be executed rapidly.

Glossary

Section I. Abbreviations

MARFOR-K U.S. Marine Forces Korea

MSSC Military Clothing Sales Store

OPCON Operational Control

OSURG Office of the Surgeon

SOCKOR Special Operations Command Korea

UPC USPACOM Processing Center

USFK United States Forces, Korea

USPACOM United States Pacific Command

Section II. Terms

Initial Reception (Phase I). The initial acceptance of returned U.S. personnel back to U.S. control pending their onward aeromedical evacuation to a designated USPACOM processing center. This initial reception includes appropriate greeting, medical evaluation, identification and appropriate reporting.

Returned U.S. Personnel. U.S. military personnel, DoD civilian employees and DoD contractor employees who have been POWs, have been held hostage by terrorists, have been detained in peacetime by a hostile foreign government, have been evading enemy capture (whether assisted or unassisted), or were otherwise missing, and returned to U.S. Government control by escape, release, repatriation, rescue, or other means.

USPACOM Processing Center (UPC). The UPC is a USPACOM designated location, under the command of a USPACOM designated agency, which must be prepared to assume the responsibility for processing returned U.S. personnel of all Services. A Joint Information Bureau will be established at each UPC for the central flow of operational information and management of public affairs.