

Mr Army G3/AOC

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From: [redacted] MAJ PMG (b)(6)-2
Sent: Wednesday, June 09, 2004 5:57 AM
To: [redacted] Mr PMG (b)(6)-2
Subject: FW: Tasker

Attachments: RFI #13 Task 4b 14 May 041 revised 7 June 04.doc

For the book. This is based on a paper I wrote about six weeks ago...what are the changes?

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-----Original Message-----

From: [redacted] COL Army G3/AOC (b)(6)-2
Sent: Tuesday, June 08, 2004 3:41 PM
To: [redacted] TC ECC } (b)(6)-2
Cc: [redacted] MAJ PMG; [redacted] COL PMG; [redacted] Mr Army G3/AOC
Subject: Tasker

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Caveats: FOUO

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Here is the revision on the most complete and informative RFI we did on the executive agent role in AR 190-8. There is a timeline at the end of the tasker that lays out the roles as well. Let me know if this meets the request or if it is too much information. Thanks COL [redacted] (b)(6)-2



RFI #13 Task 4b 14
May 041revi...

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COL MP
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"Development of a culture of innovation will not be advanced by panels, studies or this paper. Cultural change begins with behavior and the leaders who shape it." Gen Peter J. Schoomaker, Chief of Staff, Army

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EXECUTIVE SUMMARY

(U) Tasking Summary #13, DTG 081500JUN04

Task #4b. Delineate all executive agent responsibilities (specified tasks) IAW 190-8 and identify what the Army is supposed to do, what we did, and when we did it.

(U) Answer #4b.

Executive Agent Responsibilities:

a. The Secretaries of the Military Departments:

- (1) Develop internal policies and procedures consistent with this regulation in support of the Department of Defense (DOD), EPW/CI and other detainee programs.
 - (2) Ensure that appropriate training, as required pursuant to DOD Directive 5100.77 is provided so that the principles of the Geneva Conventions, and the rights and obligations there under, are known by members of their service.
 - (3) Ensure that suspected or alleged violations of the international law of war are promptly reported and investigated per DOD Directive 5100.77.
 - (4) Conduct a periodic review of the EPW, CI and RP Program and training to ensure compliance with the law of war.
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b. The Secretary of the Army (SA). The Secretary of the Army is the DOD Executive Agent (EA) for administering the DOD EPW, CI and RP Program. The SA, in coordination with the Assistant Secretary of Defense, Special Operations/Low Intensity Conflict (ASD-SO/LIC), will plan and develop the policy and coordinate the operation of the programs.

c. HQDA responsibility for EPW, CI and RP programs was transferred to the Provost Marshal General (PMG) from the Army Deputy Chief of Staff for Operations and Plans (DCSOPS) per General Order NO. 9, 26 September 2003. It states, "Among the responsibilities of the PMG are—[e]xercising HQDA responsibility for Enemy Prisoner of War and Detainee operations." As such, the PMG provides Department of the Army (HQDA) staff responsibility to:

- (1) Develop and disseminate policy guidance for the treatment, care, accountability, legal status, and processing of EPW, CI, RP, and ODs.
- (2) Report suspected or alleged violations of law committed by or against military personnel or civilians.
- (3) Provide HQDA staff supervision for the National Detainee Reporting Center (formerly the National Prisoner of War Information Center).
- (4) Develop plans for the initial assignment and replacement of block internment serial numbers (ISNs) from the NDRC to the TDRC and for the assignment of the theater code section of the ISN.
- (5) Provide necessary reports, coordination, technical advice, and staff assistance to:
 - (a) The Office of the Secretary of Defense (OSD).
 - (b) The Joint Chiefs of Staff (JCS).

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- (c) The military departments.
- (d) Unified commands.
- (e) Department of State and other Federal agencies.
- (f) The International Committee of the Red Cross (ICRC).
- (g) Protecting powers.

d. The Army Judge Advocate General (TJAG). The TJAG will provide HQDA guidance and advice to commanders on the legal aspects of the EPW, CI and RP program.

- (1) Conduct liaison in coordination with the ASD-SO/LIC, the Department of State, the Department of Justice, and other Federal agencies; the JCS; the Defense Intelligence Agency (DIA); the military departments; the ICRC; the Protecting Powers; and other detaining powers, as required.
- (2) Provide advice and assistance to commanders on legal aspects of reported violations by EPW, CI, RP, and ODs.
- (3) Provide theater guidelines for any EPW, CI and RP claims against the U.S. Government.
- (4) Provide guidance regarding GPW Article 5 Tribunals.

e. Deputy Chief of Staff for Logistics (DCSLOG). The DCSLOG will ensure logistical resources are available to support EPW operations.

f. The Assistant Secretary of the Army Financial Management (ASA-FM&C). The ASA-FM&C will establish the policies and procedures governing entitlement, control, and accounting for pay, allowances, and personal funds for EPW, CI, RP, and ODs per the provisions of the GPW and GC.

(U) Timeline of executive agent actions:

- a. 21DEC01 - DAMO-ODL received activation notice from ASD/ISA.
- b. 06JAN02 - USECDEF authorizes SECARMY to assume the responsibility for activating the National Detainee Reporting Center (NDRC) to collect, store and process information on Detainees in regards to Operation Enduring Freedom.
- c. 07JAN02 - NDRC cell mobilized.
- d. 17JAN02 - ASD SO/LIC assumes responsibility for overall development, coordination, approval and promulgation of major DoD policies and plans related to persons detained in association with Global War on Terrorism.
- e. 26SEP03 - PMG assumes responsibility for exercising HQDA responsibility for Enemy Prisoner of War and Detainee operations.

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MG Donald Ryder, PMG

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(U) Take-Away/Discussion Points

- SA, in coordination with ASD-ISA, will plan and develop the policy and coordinate the operation of the programs.
- 07JAN02 NDRC cell mobilized.
- 17JAN02 ASD SO/LIC assumes responsibility for overall development, coordination, approval and promulgation of major DoD policies and plans related to persons detained in association with Global War on Terrorism.

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