

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS
1535 COMMAND DRIVE, EE WING THIRD FLOOR
ANDREWS AFB MD 20762-7002

FEB 15 2000

B(6)
[POWERS (DECEASED) FRANCIS G]
[(b)(6)] N/A
9902282 BCMR CASE01

Case was:

- a. Granted
- b. Denied
- c. Admin Closed

_____ Congressional interest is indicated in this case; therefore, a copy of the letter to the applicant regarding the decision of the Board is being forwarded to the Director of Legislative Liaison with a request that a copy of their final correspondence, with the interested parties, be furnished to this office:
Congressional Interest: _____

Enclosure(s):

- Master Personnel Records
- Selection Folder
- Micro Fiche
- VA Records
- Medical Records

B(6)
[(b)(6)]
Record Management Assistant
Air Force Review Boards Agency

B(6)



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

AFBCMR
1535 Command Dr EE Wing 3rd Flr
Andrews AFB, MD 20762-7002

15 FEB 2000

(b)(6)

B(6)

Dear Mr. (b)(6), B(6)

Your application to the Air Force Board for Correction of Military Records, AFBCMR Docket Number 99-02282, has been finalized.

The Board determined that your late father's military records should be corrected as set forth in the attached copy of a Memorandum for the Chief of Staff United States Air Force. The office responsible for making the correction will inform you when his records have been changed.

After correction, the records will be reviewed to determine if you are entitled to any monetary benefits as a result of the correction of records. This determination is made by the Defense Finance and Accounting Service (DFAS-DE), Denver, Colorado, and involves the assembly and careful checking of finance records. It may also be necessary for the DFAS-DE to communicate directly with you to obtain additional information to ensure the proper settlement of your claim. Because of the number and complexity of claims workload, you should expect some delay. We assure you, however, that every effort will be made to conclude this matter at the earliest practical date.

Sincerely

(b)(6)

Deputy Executive Director
Air Force Board for Correction
of Military Records

B(6)

- 2 Attachments:
1. Record of Proceedings
2. Copy of Directive

cc:
DFAS-DE



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

AFBCMR 99-02282

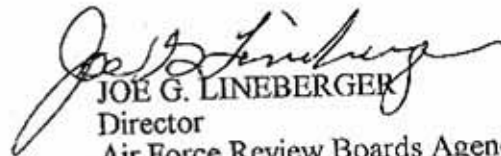
15 FEB 2000

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to FRANCIS G. POWERS, ^{(b)(6)} be corrected to show that:
_(c)

- a. On 13 May 1956, he was not discharged from active duty but on that date he continued to serve.
- b. He was promoted to the grade of captain effective and with a date of rank 19 June 1957.
- c. During the period 1 May 1960 to 10 February 1962 he was a prisoner in the Soviet Union and he was awarded the Prisoner of War Medal.
- d. On 1 March 1963, he was discharged from active duty in the grade of captain.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

15 FEB 2000

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 99-02282
INDEX CODE:

FRANCIS G. POWERS
(b)(6)
B(6)

COUNSEL: None
HEARING DESIRED: Yes

APPLICANT REQUESTS THAT:

1. His late father's service with the Central Intelligence Agency (CIA) (May 1956 - October 1962) and with Lockheed Corporation (October 21 - January 1970) be characterized as military service with appropriate rank adjustments.
2. His late father be awarded the Prisoner of War Medal (POW) for his imprisonment in the Soviet Union from 1 May 1960 until 10 February 1962.

APPLICANT CONTENDS THAT:

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal is at Exhibit A.

STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR FORCE EVALUATION:

The Director, Personnel Accountability, AFPC/DPW, reviewed the application and states that the Personnel Accountability Directorate verifies POW status for Air Force members. Standard procedure would have required applicable documents (specifically DD Form 1300) be prepared had the deceased member been in the Air Force at the time of the incident. They have no documents reflecting that he was ever in a missing/captured status while a

member of the United States Air Force. They recommend the case be referred to AFPC/DPPRA and AFPC/DPPAOR to substantiate service tenure.

A complete copy of the Air Force evaluation is attached at Exhibit C.

The Chief, Retirements and Separations Division, Directorate of Personnel Program Management, AFPC/DPPRR, reviewed the application and states that since the deceased member was discharged from active duty on 13 May 1956, he had no military status after that date. Further, because he was discharged from military service, he was not subject to recall (i.e., he was not released to the USAF Reserves). The applicant presented copies of deceased member's DD Form 214 and a copy of the citation for the POW awarded to Colonels M--- and F---, who were held POWs in the same camp with his father. However, the applicant did not allege or present any documentation (Statement of Service, etc.) to show the deceased member was credited with military service between 13 May 1956 to 31 January 1970. They recommend the applicant's request for military service credit for his late father for the period 13 May 1956 to 31 January 1970 be disapproved.

A complete copy of the Air Force evaluation is attached at Exhibit D.

The Chief, Recognition Programs Branch, Promotion, Eval, & Recognition Division, AFPC/DPPPR, reviewed the application and states that sufficient documentation exists showing the deceased member was a prisoner in Russia during the period 1 May 1960 - 10 February 1962. Sufficient precedent has been set to award the POW Medal to civilians (Pueblo Incident, Korea; two pilots shot down on reconnaissance mission on 1 July 1960). They recommend that the applicant's request that his late father be awarded the POW Medal for the period 1 May 1960 - 10 February 1962 be approved.

A complete copy of the Air Force evaluation is attached at Exhibit E.

The Staff Judge Advocate, AFPC/JA, reviewed the application and states that they believe there is substantial credible evidence in the record to support the applicant's request that the AFBCMR characterize his late father's service with the CIA as "military" service. The evidence supports this claim for the period immediately following his resignation from the Air Force in 1956 until March 1963. However, they do not believe the applicant has sustained his burden of proof with regard to claims of military service from March 1963 until 1970. They recommend this portion of the applicant's request be denied.

A complete copy of the Air Force evaluation is attached at Exhibit F.

The Chief, Officer Promotion Section, Directorate of Pers Prog Mgt, AFPC/DPPPO, reviewed the application and states that although there are insufficient records to verify his eligibility status, they believe if the deceased member had been allowed to remain in an active duty status he would have competed and been promoted to captain with a date of rank of 19 June 1957 but would have been ineligible to compete for promotion to major.

A complete copy of the Air Force evaluation is attached at Exhibit H.

The Chief, Retirements Branch, Directorate of Personnel Program Management, AFPC/DPPRR, reviewed the application and states that the evidence provided indicates the deceased member received the Distinguished Flying Cross (DFC) for extraordinary achievement while participating in aerial flight on 1 May 1960 in the grade of captain. To receive the DFC, a member must be on active duty; and, as he was discharged as a first lieutenant, he was promoted to captain. Per HQ AFPC/JA's 22 November 1999 memorandum, and the facts that a member must be on active duty to receive the DFC and a member of a service to be promoted, they recommend the deceased member's period of service from 14 May 1956 to 1 March 1963 be credited as active service.

A complete copy of the Air Force evaluation is attached at Exhibit I.

The Chief, Appeals and SSB Branch, Directorate of Personnel Program Mgt, AFPC/DPPPA, reviewed the application and states that they recommend the applicant's late father's record be credited with active service from 14 May 1956 to 1 March 1963 and he be awarded the POW medal.

A complete copy of the Air Force evaluation is attached at Exhibit J.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Complete copies of the Air Force evaluations were forwarded to the applicant on 3 December 1999 and 5 January 2000, for review and response within 30 days. As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.

2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting correction of the deceased member's record to credit him with active service from 14 May 1956 to 1 March 1963, awarding the POW medal and confirming his promotion to captain. The Air Force states that there is substantial credible evidence in the record to support the request to characterize the deceased member's service with the CIA as military service. The evidence supports this claim for the period immediately following his resignation from the Air Force in 1956 until March 1963. In regard to the request for awarding of the POW Medal, the Air Force states that sufficient documentation exists showing the deceased member was a prisoner in Russia during the period 1 May 1960 - 10 February 1962. Regarding the applicant's request that the deceased member be promoted to the grade of captain, the Air Force states that if the deceased member had been allowed to remain in an active duty status he would have competed and been promoted to captain with a date of rank of 19 June 1957. Therefore, we recommend the record be corrected to the extent indicated below.

4. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting correcting the deceased member's records to show he served on active duty until 1970 and his promotion to the grade of major. After reviewing the documentation submitted with this appeal, we find no evidence showing that the deceased member continued in a military status after 1 March 1963. While the applicant states that his father served in a military status during his employment with Lockheed, he has failed to provide sufficient documentation to support his allegation. In regard to the deceased member's promotion to the grade of major, since we have determined that he served on active duty until 1 March 1963, the deceased member would not have been eligible for consideration for promotion to the grade of major. Therefore, in the absence of evidence to the contrary, we find no basis upon which to correct the deceased member's record to show he served on active duty until 1970 or his promotion to major.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to reflect that:

a. On 13 May 1956, he was not discharged from active duty but on that date he continued to serve.

b. He was promoted to the grade of captain effective and with a date of rank 19 June 1957.

c. During the period 1 May 1960 to 10 February 1962 he was a prisoner in the Soviet Union and he was awarded the Prisoner of War Medal.

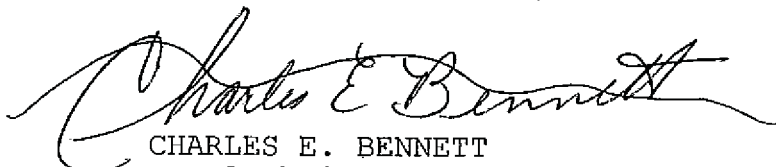
d. On 1 March 1963, he was discharged from active duty in the grade of captain.

The following members of the Board considered this application in Executive Session on 10 February 2000, under the provisions of AFI 36-2603:

Mr. Charles E. Bennett, Panel Chair
Mr. Vaughn E. Schlunz, Member
Mr. Henry Romo, Jr., Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, undated, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPW, dated 8 Sep 99.
- Exhibit D. Letter, AFPC/DPPRR, dated 28 Sep 99, w/atch.
- Exhibit E. Letter, AFPC/DPPRR, dated 30 Sep 99.
- Exhibit F. Letter, AFPC/JA, dated 22 Nov 99.
- Exhibit G. Letter, AFPC/DPPPO, dated 8 Dec 99.
- Exhibit H. Letter, AFPC/DPPRR, dated 14 Dec 99.
- Exhibit I. Letter, AFPC/DPPPA, dated 23 Dec 99.
- Exhibit J. Letter, AFBCMR, dated 5 Jan 00.


CHARLES E. BENNETT
Panel Chair

Aug 31 1999

AL/108/202

mpc

APPLICATION FOR CORRECTION OF MILITARY RECORD UNDER THE PROVISIONS OF TITLE 10, U.S. CODE, SECTION 1552 (Please read instructions on reverse side BEFORE completing application.)

Form Approved OMB No. 0704-0003 Expires Aug 31, 2000

66

The public reporting burden for this collection of information is estimated to average 30 minutes per response... PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE ABOVE ADDRESSES. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON THE BACK OF THIS PAGE.

SCANNED

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 US Code 1552, EO 9397.

ROUTINE USES(S): None.

PRINCIPAL PURPOSE: To initiate an application for correction of military record. The form is used by Board members for review of pertinent information in making a determination of relief through correction of a military record.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security number is strictly to assure proper identification of the individual and appropriate records.

1. APPLICANT DATA

a. BRANCH OF SERVICE (X ONE) ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD
b. NAME (Last, First, Middle Initial) (Please print) Powers, Francis Gary
c. PRESENT PAY GRADE N/A
d. SERVICE NUMBER (If applicable) (b)(6) 86
e. SSN (b)(6) 86

2. TYPE OF DISCHARGE (If by court-martial, state type of court) Resignation under Prov. Para 56(3), APR 36-12 AS Amnd.
3. PRESENT STATUS, IF ANY, WITH RESPECT TO THE ARMED SERVICES (Active duty, Retired, Reserve etc.) N/A
4. DATE OF DISCHARGE OR RELEASE FROM ACTIVE DUTY 13-May-1956

5. ORGANIZATION AT TIME OF ALLEGED ERROR IN RECORD CIA May 56 - OCT 62 Lockheed OCT 62 - JAN 70
6. I DESIRE TO APPEAR BEFORE THE BOARD IN WASHINGTON, D.C. (No expense to the Government) (X one)
a. Yes b. No

7. COUNSEL (If any)
a. NAME (Last, First, Middle Initial) N/A
b. ADDRESS (Street, Apartment Number, City, State and ZIP Code)

8. I REQUEST THE FOLLOWING CORRECTION OF ERROR OR INJUSTICE:
1) USAF Military Service Credit from May 13, 56 to JAN 70 2) USAF MILITARY Rank adjustments for service dates. 3) Award POW medal for Soviet

9. I BELIEVE THE RECORD TO BE IN ERROR OR UNJUST IN THE FOLLOWING PARTICULARS: Imprisonment from May 1, 60 - Feb 10, 62.
see attached

10. IN SUPPORT OF THIS APPLICATION I SUBMIT AS EVIDENCE THE FOLLOWING: (If Veterans Administration records are pertinent to your case, give Regional Office location and Claim Number.)
see attached

11. ALLEGED ERROR OR INJUSTICE
a. DATE OF DISCOVERY Aug 7, 1997
b. IF MORE THAN THREE YEARS SINCE THE ALLEGED ERROR OR INJUSTICE WAS DISCOVERED, STATE WHY THE BOARD SHOULD FIND IT IN THE INTEREST OF JUSTICE TO CONSIDER THIS APPLICATION. To help set the record straight.

12. APPLICANT MUST SIGN IN ITEM 16. IF THE RECORD IN QUESTION IS THAT OF A DECEASED OR INCOMPETENT PERSON, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY APPLICATION. IF APPLICATION IS SIGNED BY OTHER THAN APPLICANT, INDICATE RELATIONSHIP OR STATUS BY MARKING APPROPRIATE BOX.
a. SPOUSE b. WIDOW c. WIDOWER d. NEXT OF KIN e. LEGAL REP f. OTHER (Specify)

13. I MAKE THE FOREGOING STATEMENTS, AS PART OF MY CLAIM, WITH FULL KNOWLEDGE OF THE PENALTIES INVOLVED FOR WILLFULLY MAKING A FALSE STATEMENT OR CLAIM. (U.S. Code, Title 18, Sec. 287, 1001, provides that an individual shall be fined under this title or imprisoned not more than 5 years or both.)

14.a. COMPLETE CURRENT ADDRESS, INCLUDING ZIP CODE (Applicant should forward notification of all changes of address.) (b)(6)
DOCUMENT NUMBER (Do not write in this space.) 9902282

15. DATE SIGNED 16. SIGNATURE (Applicant must sign here.) Francis G Powers

9

INSTRUCTIONS

(All data should be typed or printed)

1. For detailed information see: Air Force Instruction 36-2603; Army Regulation 15-185; Coast Guard, Code of Federal Regulations; Title 33, Part 52; or Navy, Code of Federal Regulations; Title 32, Part 723.
2. Submit only original of this form.
3. Complete all items. If the question is not applicable, mark "None."
4. If space is insufficient, use "Remarks" or attach additional sheet.
5. Various veterans and service organizations furnish counsel without charge. These organizations prefer that arrangements for representation be made through local posts or chapters.
6. List all attachments and enclosures.
7. **ITEMS 6 AND 7.** Personal appearance of you and your witnesses or representation by counsel is not required to ensure full and impartial consideration of applications. Appearances and representations are permitted, at no expense to the Government, when a hearing is authorized.
8. **ITEM 8.** State the specific correction of record desired.
9. **ITEM 9.** In order to justify correction of a military record, it is necessary for you to show to the satisfaction of the Board, or it must otherwise satisfactorily appear, that the alleged entry or omission in the record was in error or unjust. Evidence may include affidavits or signed testimony of witnesses, executed under oath, and a brief of arguments supporting application. All evidence not already included in your record must be submitted by you. The responsibility for securing new evidence rests with you.
10. **ITEM 11.** 10 U.S.C. 1552b provides that no correction may be made unless request is made within three years after the discovery of the error or injustice, but that the Board may excuse failure to the file within three years after discovery if it finds it to be in the interest of justice.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW

ARMY	COAST GUARD
(For Active Duty Personnel) Army Board for Correction of Military Records 1941 Jefferson Davis Highway, 2 nd Floor Arlington, VA 22202-4508 (For Other than Active Duty Personnel) Army Review Boards Agency Support Division, St. Louis ATTN: SFMR-RBR-SL 9700 Page Blvd. St. Louis, MO 63132-5200	Chairman Board for Correction of Military Records (C-60) Department of Transportation 400 7 th St., SW Washington, DC 20590
NAVY AND MARINE CORPS	AIR FORCE
Board for Correction of Naval Records 2 Navy Annex Washington, DC 20370-5100	Board for Correction of Air Force Records SAF/MIBR 550-C Street West, Suite 40 Randolph AFB, TX 78150-4742

17. **REMARKS** *(Applicant has exhausted all administrative channels in seeking this correction and has been counseled by a representative of his/her servicing military personnel office. (Applicable only to active duty and reserve personnel.))*



THE COLD WAR MUSEUM®

P.O. Box 178 • Fairfax, Virginia 22030
703-273-2381 • Fax: 703-273-4903 • Web: www.coldwar.org

August 26, 1999

Board for Correction of Air Force Records
SAF/MIBR
550-C Street West, Suite 40
Randolph AFB, TX 78150-4742

Dear Members of the Board for Correction of Air Force Records,

At the direction of Ms. Elizabeth T. Corliss, Deputy Chief of Staff, Personnel for the Department of the Air Force, I am submitting an "Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552" for my father, Francis Gary Powers. This request is being submitted so that my father may receive the POW Medal for his 21 months of incarceration in the Soviet Union from May 1, 1960 to February 10, 1962. Not knowing the extent to which my father's government and civilian employment is eligible for military credit, I have requested that his employment with the CIA (May 1956 – October 1962) and with Lockheed (October 1962 – January 1970) be considered.

Enclosed with this letter, are various supporting documents and correspondence, which should help clarify any of your questions. The evidence as presented in this packet and in my father's Air Force personnel files should suffice to prove eligibility for this request. I look forward to hearing from you soon with a favorable determination. If you should have any questions or need additional information, please do not hesitate to call.

Very truly yours

(b)(6)

[Redacted signature box]

B(6)

Founder



THE COLD WAR MUSEUM®

P.O. Box 178
Fairfax, VA 22030

(703) 273-2381
FAX: (703) 273-4903

October 23, 1998

NCOIC Mst Sgt (b)(6) B(6)
HQ AFPC / DPPRA
550 C Street West, #12
Randolph AFB, TX 78150-4714

Dear NCOIC Mst/Sgt (b)(6) B(6)

I am writing to request the status of my request for a determination by the DoD Civilian/Military Service Review Board for my father's eligibility to be awarded the POW Medal posthumously. In addition, I would like to supply the Review Board with additional information and find out when the actual determination from the Review Board will be decided. A letter Mr. Johnston, Secretary for the AFPC / SAFPC, wrote dated 5 September 1997 clarified some of my points in my initial letter I wrote to the Review Board, dated August 7, 1997. B(6)

In the 5 September 1997 letter Mr. (b)(6) stated, "The Cold War is not one of the periods noted in the directive." In response to this, I would like bring to the Review Board's attention that Colonels John McKone and Bruce Olmstead who were shot down on July 1, 1960, in an RB-47 were awarded the POW Medal on January 13, 1996 for their 6 months incarceration in Lubyanka Prison. Coincidentally, my father was also held in captivity in Lubyanka Prison during the same time period as Colonels McKone and Olmstead. Therefore, my father should also be eligible under the same criteria.

Mr. (b)(6) B(6) also stated in his letter, "Under the criteria set out in the law and DoD Directive 1000.20 it may be difficult to argue that civilian service during the Cold War should be so recognized." In response to this I present the following recently declassified evidence from page 321 of, "The CIA and the U-2 Program, 1954-1974" published by the CIA's Center for the Study of Intelligence.

"From the very beginnings of the U-2 program in 1954, the Agency and the Air Force were partners in advancing the state of the art in overhead reconnaissance. Air Force personnel served at all levels of the reconnaissance program, from project headquarters to the testing site and field detachments. The Air Force supplied the U-2's engines, at times diverting them from other high-priority production lines. Perhaps most important of all, the Air Force provided pilots for the U-2's after the Agency's original attempt to recruit a sufficient number of skilled foreign pilots proved unsuccessful. Finally, the day-to-day operations of the U-2s could not have been conducted without the help of Air Force mission planners, weather forecasters, and support personnel in the field detachments. The cooperation between the Agency and the Air Force that began with the U-2 and continued with Project OXCART remains a major feature in US reconnaissance programs today."

According to a recent conversation I had with Major General Pat Halloran (USAF Ret.), who is assisting me with this request, the Air Force Association and General Eberhardt, the Vice Chief of Staff for the Air Force, has offered to help support my request. In addition, General Halloran informed me that United States civilians who were held in captivity during the Vietnam War have been awarded the POW Medal. Though the names of these individuals were not readily available to General Halloran, I am sure that the Review Board has access to the names in their files.

In addition, while in the U-2 program, my father and other U-2 pilots were awarded the Distinguished Flying Cross (DFC). However, because of "misplaced" records, my father's DFC was finally presented to the family in 1986. It is also well established that U-2 pilots were promoted along with their Air Force

peer groups. My father was promoted from 2nd Lieutenant to Captain during his "civilian employment" as a U-2 pilot and this promotion is reflected upon the DFC Citation. Enclosed with this letter is a copy of the "Citation To Accompany Award Of The Distinguished Flying Cross To Francis Gary Powers". This document states:

"Captain Francis G. Powers distinguished himself by extraordinary achievement while participating in aerial flight as a U-2 pilot assigned to Turkey on 1 May 1960. Flying under extremely hazardous conditions, Captain Powers was able to penetrate denied territory providing support to the joint United States Air Force-Agency U-2 Program. The professional competence, aerial skill, and devotion to duty displayed by Captain Powers reflect great credit upon himself and the United States Air Force."

Mr. Johnston also suggested that I "identify a group because individuals can not be recognized under the statute." In response to that, I submit the following:

Subsection 1128 (a) of Title 10 states that, "The Secretary shall issue a prisoner-of-war medal to any person who, while serving in any capacity with the armed forces, was taken prisoner and held captive--"

It is also my understanding that the Secretary can make a special determination when circumstances permit, as is the case with the circumstances of my father. If a group is still required, please use the same one that was used for Colonels McKone and Olmstead.

As stated in my first letter, Francis Gary Powers was in the USAF from 1950 to 1956. In 1956, he began working for the CIA flying U-2 reconnaissance aircraft. He was stationed at Incirlik Air Force Base in Adana, Turkey, reported to USAF military personnel, and had all of the military privileges including access to the commissary and officers club. On May 1, 1960 he was shot down over the Soviet Union and held prisoner for three months by the KGB in Lubyanka prison. On August 17, 1960, he was put on trial by the Soviet Union and sentenced to ten years in prison. He then served 18 months in Vladimir prison before he returned to the United States after being exchanged for Soviet spy, Colonel Rudolf I. Abel. He was incarcerated for a total of 21 months in the Soviet Union.

My father was classified as a civilian working for the government during his involvement with the U-2 program and during his subsequent imprisonment. He had DoD and NASA identification and it was understood that U-2 pilots upon fulfillment of their CIA contracts could return to the military at a rank comparable with their peers. I believe that this is referred to as "sheep-dipping". Many of the other U-2 pilots did return to the military at a comparable rank to their peers. According to page 186 of "The CIA and the U-2 Program, 1954-1974" published by the Center for the Study of Intelligence, after my father returned home from Vladimir Prison:

"the Air Force agreed on April 4, 1962 to reinstate Powers effective 1 July, a decision that was approved by the Agency, State Department, and White House. Then Powers' divorce proceedings began, and the Air Force, concerned about adverse publicity, postponed reinstatement until the end of the proceedings. In the meantime, Powers began working for Lockheed as a U-2 pilot. In March 1963, he met with Colonel Lec Geary to discuss his future plans and decided to stay with Lockheed."

In conclusion, the evidence as presented in this letter and in my father's Air Force personnel files should suffice to prove eligibility for this request. I look forward to hearing from you soon with a favorable determination. If you should have any questions or need additional information, please do not hesitate to call.

Very truly yours,
 (b)(6)
 Founder

B(6)

Cc: Major General Pat Halloran (USAF Ret.)



THE COLD WAR MUSEUM®

P.O. Box 178
Fairfax, VA 22030

(703) 273-2381
FAX: (703) 352-1196

August 7, 1997

Secretary of the Air Force (SAF/MRC)
DoD Civilian/Military Service Review Board
Washington, DC 20330-1000

Dear Members of the Service Review Board,

I am writing to request a determination by the Service Review Board for my father's eligibility to be awarded the POW Medal posthumously. Subsection 1128 (a) of Title 10 states that, "The Secretary shall issue a prisoner-of-war medal to any person who, while serving in any capacity with the armed forces, was taken prisoner and held captive—" It is also my understanding that the Secretary can make a special determination when circumstances permit.

Francis Gary Powers, my father, was in the USAF from 1950 to 1956. In 1956, he began working for the CIA flying U-2 reconnaissance aircraft. He was stationed at Incirlik Air Force Base in Adana, Turkey, and reported to USAF military personnel. On May 1, 1960 he was shot down over the Soviet Union and held prisoner for three months by the KGB in Lubianka prison. On August 17 he was put on trial by the Soviet Union and sentenced to ten years in prison. He served 18 months in Vladimir prison before he returned to the United States after being exchanged for Soviet spy, Col. Rudolf I. Abel.

I believe that my father was classified as a civilian working for the government during his involvement with the U-2 program and during his subsequent imprisonment. He had DoD and NASA identification and it was understood that U-2 pilots upon fulfillment of their CIA contracts could return to the military at a rank comparable with their peers. Many of the other U-2 pilots did return to the military at a comparable rank, but my father after returning home from Vladimir prison decided he could best serve his country by working for Lockheed Aircraft Corporation as a U-2 test pilot.

I look forward to hearing from you with a favorable determination. If you should have any questions or need additional information, please do not hesitate to call.

Very truly yours,

(b)(6)

Chairman

B(6)

29 AUG 1997

This is a true certified copy of the record
 If it lacks the seal, Imprinted in purple ink,
 of the Registrar-Recorder.

MAY 3 1983



Frank Conrad REGISTRAR-RECORDER
 LOS ANGELES COUNTY, CALIFORNIA

CERTIFICATE OF DEATH

STATE OF CALIFORNIA—DEPARTMENT OF HEALTH
 OFFICE OF THE STATE REGISTRAR OF VITAL STATISTICS

0190-032856

STATE FILE NUMBER		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	
1. NAME OF DECEASED—FIRST NAME		2. DATE OF DEATH—MONTH, DAY, YEAR	
Francis		August 1, 1977	
3. SEX		24. HOUR	
Male		1250 hrs.	
4. COLOR OR RACE		5. BIRTHPLACE—STATE OF BIRTH	
Cauc		Kentucky	
6. DATE OF BIRTH		7. AGE—LAST BIRTHDAY	
August 17, 1929		47 YEARS	
8. NAME AND BIRTHPLACE OF FATHER		9. MARRIAGE NAME AND BIRTHPLACE OF MOTHER	
(b)(6) Kentucky		Ida Ford - Kentucky	
10. CITIZENSHIP OF WHAT COUNTRY		11. SOCIAL SECURITY NUMBER	
U.S.A.		230 - 30 - 0321	
12. LAST OCCUPATION		13. NAME OF SURVIVING SPOUSE (IF WIFE, ENTER MARRIAGE NAME)	
Pilot		Married (b)(6)	
14. PLACE OF DEATH—NAME OF HOSPITAL OR OTHER IN-PATIENT FACILITY		15. KIND OF INDUSTRY OR BUSINESS	
1000 feet North of Oxward St and 941 feet East of Shoshone Avenue		News Broadcasting	
16a. CITY OR TOWN		16b. COUNTY	
Tarzana		Los Angeles	
17a. USGS CITY CORPORATE LIMITS (SPECIFY YES OR NO)		17b. LENGTH OF STAY IN COUNTY OF DEATH	
Yes		13 YEARS	
18a. USGS CITY CORPORATE LIMITS (SPECIFY YES OR NO)		18b. LENGTH OF STAY IN CALIFORNIA	
Yes		13 YEARS	
19a. USGS CITY CORPORATE LIMITS (SPECIFY YES OR NO)		19b. NAME AND MAILING ADDRESS OF INFORMANT	
Yes		(b)(6)	
20a. CITY OR TOWN		20b. COUNTY	
(b)(6)		(b)(6)	
20c. STATE		20d. ZIP CODE	
(b)(6)		(b)(6)	
21. CORONER'S OR CORONER'S CERTIFICATION		22. DATE SIGNED	
Investigation		8-2-77	
23. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH)		24. DATE OF BURIAL	
Dunaway - Douglass		8-1-77	
25. NAME OF CEMETERY OR INTERMENT PLACE		26. LICENSE NUMBER	
Cemetery Arlington Va		6590	
Arlington National		AUG 4 1977	
27. PART I: DEATH WAS CAUSED BY: IMMEDIATE CAUSE		28. APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
MASSIVE HEMOTHORAX.			
29. CONDITIONS, IF ANY, WHICH GAVE RISE TO THE IMMEDIATE CAUSE (A):			
DUE TO, OR AS A CONSEQUENCE OF LACERATION OF HEART AND THORACIC AORTA.			
30. CONDITIONS, IF ANY, WHICH GAVE RISE TO THE UNDERLYING CAUSE (B):			
DUE TO, OR AS A CONSEQUENCE OF BLUNT TRAUMA TO CHEST.			
31. PART II: OTHER SIGNIFICANT CONDITIONS—CONTRIBUTING TO DEATH BUT NOT RELATED TO THE IMMEDIATE CAUSE (A) OR (B)		32. IF YES, SPECIFY CAUSE OF DEATH (SPECIFY YES OR NO)	
		no	
33. SPECIFY ACCIDENT, SUICIDE OR HOMICIDE		34. PLACE OF INJURY (STREET AND NUMBER OR LOCATION AND CITY OR TOWN)	
accident		helicopter-vacant field	
35. INJURY AT WORK (SPECIFY YES OR NO)		36. DATE OF INJURY—MONTH, DAY, YEAR	
no		8-1-77	
37. PLACE OF INJURY (STREET AND NUMBER OR LOCATION AND CITY OR TOWN)		38. HOUR	
1000 feet North of Oxward and 941 feet East of Shoshone - Tarzana		1255 hrs.	
39. DISTANCE FROM PLACE OF INJURY TO HOME (MILES)		40. IF YES, SPECIFY CAUSE OF DEATH (SPECIFY YES OR NO)	
10		yes	
41. DESCRIBE HOW INJURY OCCURRED (GIVEN BRANES OF FIGHT WHICH CAUSED INJURY SHOULD BE ENTERED IN THIS FIELD)		42. IF YES, SPECIFY CAUSE OF DEATH (SPECIFY YES OR NO)	
As above, helicopter crash (pilot).		yes	
STATE REGISTRAR		01-9-4-7057	

BEST AVAILABLE COPY



Air Force Association

1501 Lee Highway, Arlington, Virginia 22209-1198 (703) 247-5800
An Independent Non Profit Aerospace Organization

JOHN A. SHAUD
Executive Director

November 6, 1998

Lt General Donald Peterson, USAF
AF/DP
1040 Air Force Pentagon
Washington, DC 20330-1040

Dear General Peterson:

Over the last three years we have been successful in working with your office to secure the Prisoner of War (POW) Medal for deserving service members who were previously refused the award.

On October 28, 1995 the POW Medal was awarded to Colonels John McKone and Bruce Olmstead (Tab "A"). You will recall Colonels McKone and Olmstead were the only two crew members who survived after their RB-47 was shot down over the Barents Sea on July 1, 1960. They spent 208 days in Moscow's Lubyanka Prison.

We now are seeking the same recognition for Air Force Captain Francis Gary Powers (now deceased) who was shot down May 1, 1960 while flying a U-2 near Sverdlovsk, Russia. He also was imprisoned at Lubyanka Prison for a brief period before being moved to Vladimir Prison on September 9, 1960 where he remained until his negotiated release on February 10, 1962. After a number of records were declassified, the Air Force awarded Captain Powers the Distinguished Flying Cross on February 26, 1987 (Tab "B") for the May 1, 1960 flight.

We are hopeful your review will result in the award of the POW Medal to Captain Francis Gary Powers. If your staff needs additional information, please ask them to contact Ken Goss, AFA's Director of National Defense Issues at (703) 247-5804.

Sincerely,

John A. Shaud
General, USAF (Ret)

Attachments



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE



To JMMC

28 Oct 95

REC'D OCT 31 1995

[Handwritten mark]

HQ USAF/DP
1040 Air Force Pentagon
Washington, DC 20330-1040

~~Info~~
Info Coffey:
FILE
FAXed to JMMC

General John A. Shaud, USAF, Retired
Chairman of the Board, Air Force Association
1501 Lee Highway
Arlington VA 22209-1198

Dear General Shaud

SIR

Jim McCoy recently sent me a letter concerning the presentation of a POW Medal to Colonels John McKone and Bruce Olmstead. He raised an excellent point in that a precedent has been set with the award of POW Medals to the crew of the U.S.S. Pueblo and to Chief Warrant Officer [Michael Durant] for his capture in Somalia.

B(6)

We believe the circumstances surrounding Colonel McKone's and Colonel Olmstead's detainment by the Soviets also meet the spirit and intent of the award. As a result, we have approved the award of the POW Medal in their honor. The Air Force Personnel Center's Recognition Programs Branch will contact the appropriate offices at the 55th Wing concerning the presentation of these awards during the wing's annual Birthday Ball in January 1996.

My thanks to the Air Force Association for bringing this matter to our attention. I appreciate your continued support of the outstanding men and women of the United States Air Force.

[Handwritten signature]

EUGENE E. HABIGER
Lieutenant General, USAF
Deputy Chief of Staff, Personnel

CC CMAF McCoy (USAF Ret)

CITATION TO ACCOMPANY THE AWARD OF
THE PRISONER OF WAR MEDAL

TO

JOHN R. MCKONE
FREEMAN B. OLMSTEAD

18

Captain (then) John R. McKone and Captain (then) Freeman B. Olmstead were crew members on a U.S. Air Force RB-47 that took off from Brize Norton Air Base, United Kingdom, on July 1, 1960, to fly a peace time reconnaissance mission against the Soviet Union. At a predetermined point the RB-47 flew in a southeast direction in the Barents Sea parallel to the northern Soviet coastline. While over international waters, the RB-47 was intercepted by a Soviet Mig fighter which started firing on the aircraft and subsequently shot the RB-47 down. Of the six RB-47 crew members, Captain Olmstead, the co-pilot and Captain McKone, the navigator, survived the shoot down. After spending six (6) hours in the freezing arctic waters, Captains Olmstead and McKone were rescued by a Soviet fishing trawler, transferred to an aircraft and flown to Moscow. They then were separated and placed in solitary confinement for 208 days in Lubyansk prison, the top political prison of the KGB. On January 24, 1961 they were released to American authorities at the American Embassy in Moscow. The singularly distinctive accomplishments of Colonel (USAF Ret) John R. McKone and Colonel (USAF Ret) Freeman B. Olmstead reflect great credit upon themselves, the reconnaissance community and the United States Air Force.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE MILITARY PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TX 78150-6001

26 FEB 1987


Brigadier General Leo P. Geary, USAF, Retired
3802 South Quebec Street
Denver, Colorado 80237

Dear General Geary

We are pleased to forward the elements for the Distinguished Flying Cross (DFC) awarded to Mr Francis G. Powers. We hope the presentation will enhance the U-2/SR71 organization reunion.

Best wishes for the future.

Sincerely


ELWYN D. SHUMWAY
Colonel, USAF
Chief of Staff

1 Atch
DFC Elements

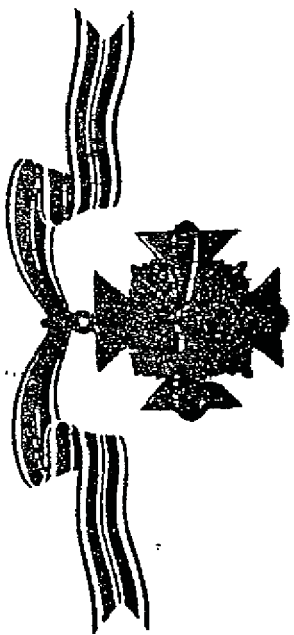
CITATION TO ACCOMPANY AWARD OF
THE DISTINGUISHED FLYING CROSS

TO

FRANCIS G. POWERS

Captain Francis G. Powers distinguished himself by extraordinary achievement while participating in aerial flight as a U-2 pilot assigned to Turkey on 1 May 1960. Flying under extremely hazardous conditions, Captain Powers was able to penetrate denied territory providing support to the joint United States Air Force-Agency U-2 Program. The professional competence, aerial skill, and devotion to duty displayed by Captain Powers reflect great credit upon himself and the United States Air Force.





THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING:

THIS IS TO CERTIFY THAT
THE PRESIDENT OF THE UNITED STATES OF AMERICA
AUTHORIZED BY ACT OF CONGRESS JULY 2, 1926
HAS AWARDED

21

THE DISTINGUISHED FLYING CROSS

TO

CAPTAIN FRANCIS G. POWERS

FOR
EXTRAORDINARY ACHIEVEMENT
WHILE PARTICIPATING IN AERIAL FLIGHT

1 MAY 1960

GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON
THIS 24TH DAY OF NOVEMBER 19 86


SECRETARY OF THE AIR FORCE

DEPARTMENT OF THE AIR FORCE
Washington 20330-5020

SPECIAL ORDER
GB- 124

24 NOV 1986

By direction of the President, each of the following is awarded the DISTINGUISHED FLYING CROSS for extraordinary achievement while participating in aerial flight on the dates indicated. Each award is effective upon the closing date of the period of service indicated.

CAPTAIN FRANCIS G. POWERS, 000-00-0000, USAF, 1 May 60, PAS: YYYYYYYY,

RDP: 16 Sep 86

CAPTAIN (b)(6) USAF, 3 Apr 45, PAS: YYYYYYYY,

RDP: 18 Jun 45

B(6)

BY ORDER OF THE SECRETARY OF THE AIR FORCE



NORMAND G. LEZY, Colonel, USAF
Director of Administration

DISTRIBUTION
GO

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ST. 13:59/NO. 37603171127 ?

N/A Not applicable

REPORT OF SEPARATION FROM THE ARMED FORCES OF THE UNITED STATES		AIR FORCE	
NAME - FIRST MIDDLE LAST FORN FRANKS GARY		DATE OF APPOINTMENT 15 JUL 53	
CLASSIFICATION N/A		TYPE OF SEPARATION Discharge	
DESIGNATION UNDER Aviation Pilot Commercial		PLACE OF SEPARATION Turner Air Force Base, Albany, Georgia	
REGISTRATION Male		HEIGHT 5' 9"	
RELIGION N/A		WEIGHT 178	
SELECTIVE SERVICE NUMBER N/A		MARRIAGE STATUS N/A	
STATUS COMMISSIONED		TYPE OF SEPARATION Discharge	
SERVICES		EXTENSION	
1. DATE OF SEPARATION 04-10-56		2. DATE OF SEPARATION May 56	
3. DATE OF SEPARATION May 56		4. DATE OF SEPARATION May 56	
5. DATE OF SEPARATION May 56		6. DATE OF SEPARATION May 56	
7. DATE OF SEPARATION May 56		8. DATE OF SEPARATION May 56	
9. DATE OF SEPARATION May 56		10. DATE OF SEPARATION May 56	
11. DATE OF SEPARATION May 56		12. DATE OF SEPARATION May 56	
13. DATE OF SEPARATION May 56		14. DATE OF SEPARATION May 56	
15. DATE OF SEPARATION May 56		16. DATE OF SEPARATION May 56	
17. DATE OF SEPARATION May 56		18. DATE OF SEPARATION May 56	
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29. DATE OF SEPARATION May 56		30. DATE OF SEPARATION May 56	
31. DATE OF SEPARATION May 56		32. DATE OF SEPARATION May 56	
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35. DATE OF SEPARATION May 56		36. DATE OF SEPARATION May 56	
37. DATE OF SEPARATION May 56		38. DATE OF SEPARATION May 56	
39. DATE OF SEPARATION May 56		40. DATE OF SEPARATION May 56	
41. DATE OF SEPARATION May 56		42. DATE OF SEPARATION May 56	
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67. DATE OF SEPARATION May 56		68. DATE OF SEPARATION May 56	
69. DATE OF SEPARATION May 56		70. DATE OF SEPARATION May 56	
71. DATE OF SEPARATION May 56		72. DATE OF SEPARATION May 56	
73. DATE OF SEPARATION May 56		74. DATE OF SEPARATION May 56	
75. DATE OF SEPARATION May 56		76. DATE OF SEPARATION May 56	
77. DATE OF SEPARATION May 56		78. DATE OF SEPARATION May 56	
79. DATE OF SEPARATION May 56		80. DATE OF SEPARATION May 56	
81. DATE OF SEPARATION May 56		82. DATE OF SEPARATION May 56	
83. DATE OF SEPARATION May 56		84. DATE OF SEPARATION May 56	
85. DATE OF SEPARATION May 56		86. DATE OF SEPARATION May 56	
87. DATE OF SEPARATION May 56		88. DATE OF SEPARATION May 56	
89. DATE OF SEPARATION May 56		90. DATE OF SEPARATION May 56	
91. DATE OF SEPARATION May 56		92. DATE OF SEPARATION May 56	
93. DATE OF SEPARATION May 56		94. DATE OF SEPARATION May 56	
95. DATE OF SEPARATION May 56		96. DATE OF SEPARATION May 56	
97. DATE OF SEPARATION May 56		98. DATE OF SEPARATION May 56	
99. DATE OF SEPARATION May 56		100. DATE OF SEPARATION May 56	

**COMMANDER'S PROGRAMS & RECOGNITION POLICY
(DPDFC)
Force Sustainment Division
Directorate of Personnel Force Development**

16 Jun 99

Mr. [redacted] (b)(6)

Hopefully, this will finalize what we need to complete this action. I am attaching copies of your documents, as well as a couple that I have for you to forward with the DD Form 149 to the AFBCMB. Additionally, please attach a copy of your father's birth certificate and death certificate and any other info you think would be helpful.

I have already discussed this issue with the AFBCMB folks so hopefully this process will go smoothly. If you will give me a phone call when you mail off your package, I will make sure the AFBCMB is looking for it, and I will continue to monitor it while it is there. My phone number is (703) 697-4720 and email address is: judith.rollins@pentagon.af.mil.

Thanks for your patience.

[redacted] (b)(6)

Lt Col, USAF

Chief, Cmdrs' Programs & Recognition Policy
Directorate of Personnel Force Development

B(6)



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC

16 JUN 1999

HQ USAF/DPD
1040 Air Force Pentagon
Washington DC 20330-1040

(b)(6)

B(6)

Dear Mr.

(b)(6)

B(6)

We have reviewed your request for the award of the POW Medal to your father in light of the award criteria and the facts surrounding your father's captivity in the former Soviet Union. As you know, the qualifying criteria for award of the medal to civilians are quite narrow and probably inapplicable to your father's situation. However, the special and unique personnel aspects of the U-2 program evidenced in the CIA documents you provided, suggest another option, specifically, that you request that your father's military records be changed to indicate that he was in active military service during the time he was employed with the CIA. This change, if made, would remove the most formidable hurdle to approving this award.

The Air Force Board for the Correction of Military Records (AFBCMR) has the authority to change your father's records to reflect his employment with the CIA as active military service. You could combine this request for a change in records with a request that his records reflect award of the POW Medal. You must apply for this relief on your father's behalf, and submit evidence that would convince the Board that an error or injustice exists in your father's records. For your convenience, we have attached an application to the AFBCMR for this purpose. Please notify this office when you submit your application so we may monitor its progress through the Board process.

We regret advising you to pursue yet another avenue to gain approval of this medal for your father, but we believe this course offers the best chance for satisfying the award criteria. Should you have any questions, please contact Lt Col Judy Rollins at (703) 697-4720.

Sincerely

ELIZABETH T. CORLISS
Director, Personnel Force Development
Deputy Chief of Staff, Personnel

Attachments:

1. AF Pamphlet 36-2607
2. DD Form 149

cc:

General John A. Shaud, Ret

B. PRISONER OF WAR (POW) MEDAL

1. Eligibility Requirements

- a. Authorized by Section 1128, title 10, U.S.C. reference (o)).
- b. Authorized for any person who, while serving in any capacity with the U.S. Armed Forces, was taken prisoner and held captive after April 5, 1917.

(1) Civilians and Foreign Nationals. The POW Medal shall be issued only to U.S. and foreign civilians who have received credit for U.S. military service, as determined by the DoD Civilian and/or Military Service Review Board and Advisory Board under DoD Directive 1000.20 (reference (p)). The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the POW Medal, the Services should determine each case on its merits using the language in 10 U.S.C. and the Secretary of Defense Memorandum (references (e), (f) and (q)). The Secretary of Defense authorized on January 27, 1990, the POW Medal for the Philippine Commonwealth Army and Recognized Guerrilla Unit Veterans who were held captive between December 7, 1941, and September 26, 1945.

(2) Missing in Action. The POW Medal only shall be issued to the legal next-of-kin (NOK) of military personnel or civilians who have received credit for U.S. military service and whose POW status officially has been confirmed and recognized as such by the Military Departments. The NOK of persons listed as "missing, but for whom there is no evidence of having been a POW" shall not be issued the POW Medal. Return of remains, in and of itself, does not constitute evidence of POW status. The NOK of the POWs who die in captivity may be issued the POW Medal irrespective of the length of the captivity period.

(3) Hostages, Detainees, and Internees. The POW Medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the Secretary concerned finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict. For that medal, armed conflicts are defined as "World War I, World War II, Korean Conflict, Vietnam Era and Southwest Asia Conflict."

c. Character of Service. Any person convicted by a U.S. military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW is ineligible for the medal. The POWs whose conduct was not in accord with the Code of Conduct and whose actions are documented by U.S. military records, are ineligible for the medal. Resolution of questionable cases shall be the responsibility of the Secretaries concerned.

2. Subsequent Awards. No more than one POW Medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to U.S. military control.

Escapees who do not return to U.S. military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the POW Medal.

3. Presentation. While service medals (unlike decorations for valor, meritorious achievement, and service) are not normally presented in formal military ceremonies, military representatives of the Active and Reserve components may participate in POW Medal presentation ceremonies, if requested, under guidance and procedures issued by the Secretaries of the Military Departments. Additionally, veterans organizations, former POW associations, public officials, etc., may receive and present the medal to former POWs or their NOK. Engraving of the POW Medal, if desired, shall be at the expense of the recipient.

4. Manner of Wearing. Section 1128 of title 10, U.S.C., "Prisoner-of-war medal: issue," (reference (o)) establishing the POW Medal specifies that it shall be displayed immediately following decorations awarded for individual heroism, meritorious achievement, or meritorious service, and before any other service medal, campaign medal, or service ribbon authorized to be displayed. To ensure consistency among the Services, the POW Medal shall be placed ahead of the Good Conduct Medal in the order of precedence.

5. Posthumous Awards. The POW Medal may be awarded posthumously and, when so directed, may be presented to such representatives of the deceased as the Secretary concerned considers appropriate.

6. Procedures for Issuing the POW Medal. The Military Departments shall receive requests for, and issue, the POW Medal to eligible individuals or their NOK, as follows:

a. All requests for the POW Medal will be initiated by eligible former POWs, or their NOK, using a personal letter addressed to the appropriate Service Records Center located at 9700 Page Boulevard, St. Louis, Missouri 63132-5199.

b. Veterans organizations, former POW associations, public officials, etc., may receive requests for the medal from former POWs, or their NOK, and forward them to the appropriate Service Records Center. Such organizations and/or individuals would agree to receive the medals and subsequently present, or forward, them to the requester.

c. After verification of POW status and character of service of the former POW, the medal shall be forwarded through mail in accordance with the desires of the requester (directly to the requester or to a third party for presentation). A cover letter explaining the background and symbolism of the medal shall accompany the medal.

d. The Services shall issue the medal to eligible active duty former POWs and reflect the award in appropriate records.

§ 1128. Prisoner-of-war medal: issue

(a) The Secretary concerned shall issue a prisoner-of-war medal to any person who, while serving in any capacity with the armed forces, was taken prisoner and held captive—

- (1) while engaged in an action against an enemy of the United States;
- (2) while engaged in military operations involving conflict with an opposing foreign force; or
- (3) while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(b) The prisoner-of-war medal shall be of appropriate design, with ribbons and appurtenances.

(c) In prescribing regulations establishing the order of precedence of awards and decorations authorized to be displayed on the uniforms of members of the armed forces, the Secretary concerned shall accord the prisoner-of-war medal a position of precedence, in relation to other awards and decorations authorized to be displayed—

- (1) immediately following decorations awarded for individual heroism, meritorious achievement, or meritorious service, and
- (2) before any other service medal, campaign medal, or service ribbon authorized to be displayed.

(d) Not more than one prisoner-of-war medal may be issued to a person. However, for each succeeding service that would otherwise justify the issuance of such a medal, the Secretary concerned may issue a suitable device to be worn as the Secretary determines.

(e) For a person to be eligible for issuance of a prisoner-of-war medal, the person's conduct must have been honorable for the period of captivity which serves as the basis for the issuance.

(f) If a person dies before the issuance of a prisoner-of-war medal to which he is entitled, the medal may be issued to the person's representative, as designated by the Secretary concerned.

(g) Under regulations to be prescribed by the Secretary concerned, a prisoner-of-war medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

(h) The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as practicable.

(Added Pub.L. 99-145, Title V, § 532(a)(1), Nov. 8, 1985, 99 Stat. 633.)

Effective Date. Section 532(b) of Pub.L. 99-145 provided that: "Section 1128 of title 10, United States Code [this section], as added by subsection (a), applies with respect to any person taken prisoner and held captive after April 5, 1917."

Legislative History. For legislative history and purpose of Pub.L. 99-145, see 1985 U.S. Code Cong. and Adm. News, p. 472.

Library References

Armed Services ¶30.
C.J.S. Armed Services § 36.

OPERATION OVERFLIGHT

The U-2 spy pilot
tells his story for
the first time

†

Francis Gary Powers
with
Curt Gentry

Holt, Rinehart and Winston

NEW YORK

CHICAGO

SAN FRANCISCO

When she wanted to be, (b)(6) could be quite persuasiv
And I was already more than slightly tempted. B(6)

Despite Collins' admonition, coffee the next morning was gabfest. Several of the pilots had already rejected the offer because of the separation from their families. The remainder, myself included, were undecided, but highly curious.

Guesses as to the nature of the employment were as varied they were wild. But they were just that, guesses. Collins has given us just enough information to whet our curiosity. No more.

That afternoon I called to make another appointment, for the evening.

Driving to the motel, I thought about the interviews. Although secrecy appeared to be the major reason for their unorthodox arrangement, I felt sure the psychological effect had not been lost on Collins and his associates. Occurring at night, in an unusual place, set apart from the routine and ordinary—all generated excitement.

But I'd had enough mystery. Tonight I was determined to get some hard answers.

Collins supplied them. More than I'd anticipated, and without my asking.

He began by explaining that he and the other two men were representatives of the Central Intelligence Agency. Should I be accepted, I would be working under contract for that agency.

I knew nothing about the Central Intelligence Agency, except that it was a supersecret branch of the government, most often referred to by its initials, CIA.

Though I was impressed, I tried not to show it.

As for the Air Force, Collins continued, should I wish to return to it following completion of my contract, arrangements would be made so I could do so, with no loss of time in going or toward retirement. In short, I could reenter at the same rate as my contemporaries, my time in the CIA being counted as service time.

Now the particulars. First, I would be checked out on an entirely new aircraft—

To a pilot who loved flying, as I did, there are few words more thrilling. But Collins went on to add them.

(6)

from inside the Soviet Union, there was no way of knowing what Russia was planning militarily, its capabilities, what we must be prepared to meet should war come. At the time of Pearl Harbor we at least had some comprehension of Japan's military might. This was not the case with Russia. After the Soviets failed to approve President Eisenhower's Open Skies Plan of 1955 "Operation Overflight" had been conceived to close this gap.

"How do you feel about it now?" he asked.
"I'm in. I wouldn't miss it for the world. All my life I've wanted to do something like this!"

This was no exaggeration. Had I been asked to do it simply on a volunteer basis, as an Air Force pilot, my enthusiasm and commitment wouldn't have been one whit less great.

"Take another night to think it over," Collins suggested.

"That's not necessary: I've decided."

"We want you to be sure. If you feel the same way tomorrow call me. We'll talk about it."

He needn't have added the obvious, but he did, that this time I was not to discuss our conversation with anyone, even my wife.

I slept little that night. Early the following morning I called him with my answer.

Our third and last meeting at the motel was quite business-like. As always, Collins did most of the talking.

It was necessary that I go to Washington, D.C., for briefings and certain tests. The following week, routine Air Force orders would be issued, directing me to report there for several days of temporary duty. These would cover my absence from the base, as well as authorizing travel expenses. Actual orders—where to report in Washington and when—would be issued verbally by the major with whom I had first been in contact. I was to travel in civilian clothes. Hotel reservations would be made for me. My alias, to be used on the hotel register: "Palmer (b)(6)"—false last name, correct first name and middle initial. ID, with this name, would be issued to me prior to the trip, identifying me as a civilian employee of the Department of the Air Force.

Again Collins anticipated my question. Wives being naturally inquisitive, I could tell my wife that I would have several months to clear up pending business and to make necessary living arrangements. I could also tell her the amount of my pay, that

checking, however, I found that at twenty-six-and-one-half was at the upper edge of the age limit, and therefore not eligible. Considering the other alternatives—there were few, if I wanted to fly—I signed an indefinite enlistment.

There was no reason to be dissatisfied, I suppose. Though our marriage was less than ideal, we had good friends, enjoyed many of the same things. Most of our vacations were spent in Florida swimming and water-skiing. As for my job, I was doing what I most enjoyed, flying. My pay, over four hundred dollars a month take-home, was the most money I had ever earned in my life and was supplemented by what Barbara made. I was visiting parts of the world I had never seen before: I had flown an F-8 to England, and prior to my marriage, I'd spent three months on temporary duty in Japan. Periodically, as a break from routine, there was the excitement of the Air Force gunnery meet, my team taking several top command prizes. I had the satisfaction of knowing that my job was important, not only in the future if war ever occurred, but now, as a small but necessary part of a collective defense effort in itself a deterrent to war.

There was no reason to be dissatisfied, yet I was. The vague restlessness since boyhood remained—not so much of an ailment now, but a bother nonetheless. To date I hadn't really produced myself, contributed anything.

This was my frame of mind when I was approached by the agency."

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2

Late in January, 1956, as Francis G. Palmer, a civilian employee of the Department of the Air Force, according to the official identification in my wallet, I signed the register at the Du Pont Plaza, Washington, D.C., went to my room, and waited for a telephone call, all the while feeling more than a little foolish. Such antics belonged in the realm of spy stories.

When the call came, the voice was that of Collins, informing me we were to meet in another room. Most of the other pilots were already there. Except for one man busily looking behind picture frames, back of dresser drawers, under beds, and whom I took to be an employee of the agency, everyone was familiar. A number of the men were from Turner AFB.

Collins handled the briefing, more informal and relaxed than any of those at the motel. Yet in its way, more serious.

This would not be the first attempt to photograph Russia from the air. Following World War II, modified B-36s and, later, RB-47s, had been used. These had a great advantage—the capacity to carry large quantities of sophisticated photographic

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project, I strongly suspect the latter to be the case. It is also possible the investigation occurred before we were ever approached.

As we later learned, our initial selection was less random than it first appeared.

Only reserve officers had been interviewed, no regular officers. This was because there were apt to be fewer questions asked when a reserve officer resigned.

Also, the choice of a number of pilots from the same unit was not accidental. Our wing was being dissolved, its personnel assigned elsewhere. In such a transition, with everyone moving, there was less chance the disappearance of a few pilots would evoke comment.

In April, on instruction from Collins, I submitted my letter of resignation to the Secretary of the Air Force.

Under ordinary circumstances several months would have been required for the request to be approved. It was back in less than one. On the thirteenth of May, 1956, I became a civilian again.

Within a few days I signed my contract with the Central Intelligence Agency. The document was brief and covered my term of employment—eighteen months from the date of signing, fifteen hundred dollars per month while in the United States, twenty-five hundred per month overseas, with five hundred taken off each month and held in escrow, to be paid upon satisfactory completion of contract. This last provision, it was explained to us, had been added to make the tax bite easier.

There was also a security clause, containing the regular national security agreement that everyone in the service and most government employees must sign; prohibiting the revelation of any information adversely affecting national security, the penalty for so doing being a ten-thousand-dollar fine and/or ten years in jail.

There was only one copy of the contract, which the agency kept. Nor was I given a copy of any of the several other documents I signed. One, already cosigned by the Secretary of the Air Force, Donald A. Quarles, promised that upon completion of my contract I would be permitted to return to the Air Force at a rank corresponding to that of my contemporaries and with no time lost toward retirement. This was especially important

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Number of pilots from the same unit was small as being dissolved, its personnel as a transition, with everyone moving, disappearance of a few pilots would

From Collins, I submitted my letter of resignation to the Air Force. It would have taken several months to be approved. It was back in the month of May, 1956, I became a civil-

I signed my contract with the Central Intelligence Agency. It was brief and covered my terms for fifteen months from the date of signing, fifteen months while in the United States, twenty months overseas, with five hundred dollars taken out of my pay, to be paid upon satisfactory completion. In this last provision, it was explained to me that the tax bite was easier.

The contract contained a regularity clause, containing the regular nature of the service and most importantly, prohibiting the revelation of information affecting national security, the penalty being a thousand-dollar fine and/or ten years

of the contract, which the agency provided a copy of any of the several other documents cosigned by the Secretary of the Air Force, promised that upon completion I would be permitted to return to the Air Force and that of my contemporaries and with them. This was especially important

to me, because already I had nearly six years in, and, on finishing the assignment, planned to return to the Air Force.

Following the signing of the contracts, we flew to a secret base on the West Coast to begin training.

technical assistance of the Air Weather Service of the USAF, would be used to study turbulence and meteorological conditions. Although indicating the U-2 was capable of high-altitude flight, the release gave no particulars. It did state, however, that initial flights were being made from "Watertown Strip, Nevada."

The first U-2 group, which had completed its training early in April, a month before our arrival at Watertown, and which had been officially designated the Weather Reconnaissance Squadron, (Provisional), had been sent to Lakenheath, England.

The second release, covering this, announced that NACA was extending its weather program to Europe. Again the release was long on rhetoric, short on details. There was no mention of the U-2's altitude, its range, its duration of flight. Nor were photographs of the plane released.

The cover story was not entirely fictitious. Some of the U-2s were being used for weather research, and doing a superb job of it.

They were also, at this time or very shortly after, being used for purposes the news releases didn't mention.

Our unit, which was officially designated the Second Weather Observational Squadron (Provisional), and, more informally, Detachment 10-10, completed its training early in August, 1956. Our destination, Incirlik AFB, Adana, Turkey, was mentioned in no press releases, however.

While the U-2s we would be using were disassembled and flown to Incirlik, we were given two weeks' leave.

Before it began we were provided with new identification, in our real names, as civilian employees of the Department of the Air Force, GS-12. We were also given a card which stated that we worked for NACA, that we were authorized to fly Air Force aircraft, but that we were not subject to Air Force flying regulations. The latter stipulation was important, because it would permit us to take off from Air Force bases when regular Air Force pilots would be grounded by weather minimums.

As cover story for parents and friends, we could say that we would be going overseas as a part of NACA'S program for studying weather phenomena in various parts of the world. If we felt it necessary, we could also drop some comment that

this was tied in with Geophysical Year.

Two weeks was business matters I could agency had taken mailing address a Washington, D.C.,

We did manage father asked quite anticipated. But I

At the airport, to say good-bye.

When my father what you're doing.

"What do you mean

"No, I've figured working for the FBI

Hanging up, I had I'd realized. But I close. At this time

May 1, 1960, I re

though possibly not of the overflights. For a weather unit, Detachment 10-10 had suspiciously tight security, something obvious to any Turk who worked on other portions of the base.

If we did have approval, tacit or otherwise, we were one up on the first U-2 group. Shortly after arrival at Lakenheath, the British government, learning their mission was something more than the collection of weather data, requested them to leave, in the interim restricting them to training flights. Kicked out of England, the unit had been transferred to Wiesbaden, Germany, from which the first U-2 overflight took place.

Although a combined military-agency operation (USAF providing logistics, the agency planning and operations), Detachment 10-10 was patterned after a regular squadron. There was a commanding officer (USAF) and an executive officer (agency), who together ran the outfit. In addition to the operations officer, who had under him the flight planners, navigators, and weather personnel, there was an administrative officer, intelligence officer, security men, flying-safety officer (one of my extra duties), pilots (seven of us at this time), ground crews, medics, and radio, radar, and photographic personnel. About all that was missing was an actual, legitimate representative of NACA. Briefings and debriefings were conducted similarly to those in the Air Force. Even the size of the unit, close to one hundred members, was of squadron strength.

But there was one great difference. Each person, from crew chief to pilot, had been especially picked for the operation. Too, since most of us had been together at Watertown, we were already functioning as a well coordinated team before arriving overseas. As a result, 10-10 was run with an efficiency rarely if ever, encountered in service.

Each man was a specialist in his field. As pilots, the seven of us had been assigned a specific job. We were aware of its importance. And were anxious to get on with it.

This had to wait, however, for additional training.

Although we had flown some of the same U-2s at Watertown, each had to be checked out again after they were reassembled. The U-2 was not a mass-produced, stamped-out-of-sheet-metal aircraft. Each was custom-made, with its own peculiarities. One might fly heavy on one wing, another might consume an inordi-

It was some form of Russian secret police. I know a great deal more than I wished to know. Its name is Gosudarstvennoi Bezopasnosti, or Com-
munist Security; it is the current descendant of the old MVD.

The professionals. There was another search. I didn't overlook the pin.

And it, however, one of the civilians to whom I had to defer, didn't seem greatly interested. Excitedly, he slipped it into his briefcase.

I tried to keep that briefcase within sight.

The bell ringing, I stuck my finger in one and shook it to stop the buzzing.

I reached over and slapped my hand down.

I waited for and made me mad, although I tried not to.

After I tried to clear my ears again, and again I slapped my hand. Then I realized they were probably looking for a poison capsule in my ear and was trying to avoid it.

A thorough examination of both my person and my belongings they expected to find some sort of poison.

"American?" one man asked.

For the first time startled me. I admitted I was. I was the only one who spoke the language, as a translator whenever any of the others asked questions. My answer was very poor.

As far as possible, I explained how I had lost my freedom over the border by mistake.

They didn't believe a word of it.

I expected that they would. Evidence indicated

that I had brought in items from the wreckage, I had which I'd hoped had been destroyed in the crash. Most hadn't. There were even maps I hadn't

seen, duplicates someone back at Peshawar had made in my pack or on the plane. My route, from

India, was clearly marked on the set I had been given. And, from what I could see of them, these

men were not military.

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Nor was this all. Not only did they have wreckage from the plane, and contents of the seat pack, including the Russian rubles, gold coins, watches, and rings, they also had my flight bag with my shaving kit, clothing, and wallet.

Carrying that had been a mistake, I realized. It showed how complacent we had become. Thinking only of what I would need in Norway, I hadn't considered the possibility that I might not reach my destination. Nor had anyone else thought to stop me from carrying it.

I tried to recall exactly what the wallet contained. There was a Defense Department card, identifying me as a civilian employee of the Department of the Air Force, authorizing medical care and PX privileges, and, I was sure, listing my outfit as Detachment 10-10; a NASA certificate (the National Aeronautics and Space Administration had succeeded NACA in 1958); instrument rating cards; U.S. and international driver's licenses; a Selective Service card; a Social Security card; American, German, and Turkish currency; some U.S. postage stamps; pictures of Barbara; and I wasn't sure what else.

The Social Security and Selective Service cards had been issued in Pound, Virginia; the U.S. driver's license in Georgia. Just from these items, they could put together a pretty accurate profile, provided their intelligence didn't already know just about everything there was to know about the U-2 pilots.

I stuck to my story, untenable as it was.

Occasionally I'd glance at the unbarred windows. Always there was someone standing in front of them. When one man left, another replaced him. They were professionals. They knew the way a prisoner thought.

One thing about the questioning especially disturbed me. Again and again they tried to make me admit I was military, not civilian. I wondered why. Did they think the nature of my mission was something other than espionage? By trying to make me admit I was military, were they trying to establish that my purpose was not spying but aggression, that I was in fact the forerunner of an American invasion of Russia?

I now realized why the agency had hired civilians to fly the missions. It was important that I prove to them that I wasn't military.

Pointing out the card which identified me as a civilian em-

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"Chāēnek," I repeated.

I'd had my first lesson in Russian.

I felt better than the night before. Whether intentional or not—and I felt sure everything my captors did was for a purpose—leaving me alone had a definite psychological effect. It made me anxious to talk to someone, anyone. I'd have to guard against this, I realized.

But it was, in a way, an unnecessary worry. For that morning, May 3, the interrogations began in earnest. Morning, afternoon, evening, averaging eleven hours per day, seven days per week, they were to continue without pause for nineteen days, then, after a single day's recess, start all over again.

The indecision as to my fate I had sensed on the second day was gone now. As was the friendliness. From this point on everything was quite businesslike, with one objective, to get as much information as possible from the prisoner.

Although the cast occasionally varied, technical experts sometimes sitting in with questions of their own, five people were usually present at the interrogations:

A stenographer. I had expected them to tape-record the sessions. Instead, each word was laboriously transcribed, typed in Russian, then, later, translated and retyped in English. Not too surprisingly, in the process words and phrases changed, whole sentences got lost, meanings distorted. In some instances, intentionally. Thus, questioned about the Defense Department certificate in my wallet and asked if this meant I was an Air Force pilot, my reply, "It means that I was a civilian employee of the Department of the Air Force," became in transcript, "It means that I served in the United States Air Force as a civilian." A small but quite important change.

The interpreter. In his mid-thirties, only he "appeared" to know English. I was never sure about the others.

Two majors, Kusmin and Vasaelliev. Both about thirty, my age, which I suppose was more than coincidence. They handled the bulk of the questioning, working as a carefully rehearsed team. I'd read in detective stories of how American policemen would sometimes grill a suspect, utilizing a Mutt and Jeff routine. While one would be impatient and threatening, his partner would be sympathetic and kind, the prisoner naturally hating the former,

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ress each day adding to their knowledge, I knew
r later they would succeed in trapping me in one
should that happen, they would question everything
told them. Thus far I had succeeded in withhold-
important information in my possession. But this
could do so indefinitely. There were other ways
dk.

I was so concerned was an incident that had oc-
rights earlier.

bed was so uncomfortable, I always slept fitfully.
night I had rolled over and opened my eyes, to
e guards in my cell. It startled me. Seeing I was
ked up my ashtray, indicating it was smelling up
er guard was standing in the doorway. After hand-
empty, the first guard then returned it to the table,
ked the door. I returned to sleep, only to reawaken
in a haze, seeing him there again. This time he
planation.

o this had happened before. Once locked in my
had been left alone. It bothered me. Had I dreamed
was the empty ashtray. Perhaps his excuse was
, why had he returned? Since, so far as I knew,
spoke English, the idea that I was talking in my
were trying to listen seemed unlikely, as did the
they feared I had obtained a weapon or some
nd and were searching my cell. Still another ex-
rred to me. That I might have been drugged. For
seriously wondered.

t remained unexplained. But it made me more
ver that they not doubt my story.

ctors now held most of the cards. They knew what
since my capture. I didn't. Each new question
possibilities of contradiction, exposure. In some
o further limit those possibilities.

of the pending trial gave me the excuse I needed.

be tried for my May 1 activities, I now refused
questions, of whatever kind, on anything happen-
t date.

count against me in the trial, they warned. Read-
iate section of their criminal code, they pointed

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out, as they had on many previous occasions, that the only pos-
sible mitigating circumstances in my case were: (1) voluntary
surrender; (2) complete cooperation; and (3) sincere repentance.

I had surrendered voluntarily. But as for the last, I had already
repudiated that.

Earlier in the questioning, they had asked me if, having it to
do over, I would have made the flight. Yes, I replied, were it
necessary for the defense of my country.

Since I was unrepentant, the only things now in my favor were
my voluntary surrender and complete cooperation.

I stuck to my resolve. I would discuss nothing that happened
prior to May 1.

Perhaps it was in an attempt to change my mind that they now
decided to make a radical departure.

For the first time since my capture more than two weeks be-
fore, they raised the Iron Curtain, giving me a glimpse at what
had happened outside Russia.

It was much too good a story to keep to themselves. They had
to brag about it. Thus I finally learned from my interrogators
what the rest of the world had long known.

On May 2 the public information officer at Incirlik AFB,
Adana, Turkey, had released the news that an unarmed weather
reconnaissance aircraft, of the U-2 type, had vanished during
a routine flight over the Lake Van area of Turkey and that a
search for the missing plane was in progress. During his last
radio communication, the pilot—a civilian employee of Lock-
heed on loan to NASA—had reported trouble with his oxygen
equipment.

This was the cover story the CIA had prepared for such an
eventuality.

Nobody had ever bothered to share it with the pilots.

The next several days brought further details from NASA,
including information that all U-2s had been grounded to have
their oxygen equipment checked.

On May 5, in a speech before the Supreme Soviet in Moscow,
Premier Khrushchev had announced that on May Day an Ameri-
can plane, in "an aggressive provocation aimed at wrecking the
Summit Conference," had invaded Soviet territory and, on his
personal orders, been shot down by a missile.

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My decision to leave the Central Intelligence Agency was motivated by three factors:

1. Suppression of the book, to which I had reluctantly acquiesced. Already one book, the first of several on the U-2 incident, had appeared, its authors, so far as I knew, having made no attempt to contact me.
2. The obvious fact that I was just killing time. Though I had my own office, with the implication that I could stay on at the agency as long as I wished, I had run out of meaningful work.
3. I was itching to fly.

With nearly twelve years of service, and only a little more than eight to go until retirement, I couldn't afford not to go back into the Air Force. Yet I still wasn't ready to lead a regimented life: I wanted to be able to go where I pleased, do what I wanted to do. On checking with the Air Force, I was told there was no hurry as to a decision; I could take my time.

One of my friends at the agency knew "Kelly" Johnson and

offered to call him to see if the job at Lockheed was still open. Johnson suggested I fly out to California and talk to him. In September, 1962, I did so.

I was about ready to say I was interested only in a flying job when he asked: Would you like to be a test pilot?

I suspect that at one time or another this has been almost every pilot's ambition; I knew it was mine. I said I would.

Flying U-2s?

The answer was written across my face in a big grin.

On returning to Washington, I submitted my resignation to the CIA, and reported to work at Lockheed on October 15, 1962.

By this time the U-2 had proven itself again. While at the agency, I had kept abreast of developments in the program, and was aware that Air Force pilots, under the command of SAC, were making overflights of Cuba. I also knew that late in August a U-2 had spotted a number of Soviets SAMs, probably similar to the one that brought me down. What no one knew for certain, however, until a U-2 returned from its overflight along the western edge of Cuba on October 14 and its photographs had been processed and studied, was that sites were being built for medium-range ballistic missiles capable of reaching targets in the United States.

We were to pay a high price for our intelligence on the Cuban missile crisis. While overflying Cuba, USAF Major (b)(6) (b)(6) was shot down by a Soviet SAM.

With his death, no one could any longer doubt that Russian missiles were capable of reaching the U-2's altitude.

My work at Lockheed was as an engineering test pilot. This consisted of test-flying the planes whenever there was a modification, a new piece of equipment installed, or the return of an aircraft for maintenance.

Getting back into the tight pressure suit was an odd sensation—uncomfortable as ever. But there was one improvement. It had been found that an hour of prebreathing prior to flight would suffice. Again I was back in the high altitudes. Perhaps needless to say, my insurance premiums rose even more astronomically.

Except for a few close calls, I thoroughly enjoyed the work. Two times hatch covers blew out. One knocked a hole in the

job at Lockheed was still open.
California and talk to him. In

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Whether this has been almost every
mine. I said I would.

My face in a big grin.

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for our intelligence on the Cuban
regarding Cuba, USAF Major Rudolph
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Would any longer doubt that Russian
regarding the U-2's altitude.

As an engineering test pilot. This
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pressure breathing prior to flight would
at high altitudes. Perhaps needless
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I thoroughly enjoyed the work.
One knocked a hole in the

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wing and in the tail. The other jammed the canopy so I couldn't
get out. But each time I managed to make it back. And, while I
was working at high altitudes, where the aircraft was most tem-
peramental, there were, I'll frankly admit, occasions when I
was scared. But my confidence in the U-2 remains unshaken. It
was and still is a remarkable aircraft, one of a kind.

I only wish there were more of them around.

In 1963 I received the first of what was to be a number of rude
awakenings.

You're going to have to make up your mind, Powers, the
general said. If you want to go back into the Air Force, you'll
have to do it soon.

With nearly twelve years toward retirement—

Five and a half, he corrected me. Your time in the CIA won't
count.

On joining the U-2 program in 1956 I had signed a document,
signed by Secretary of the Air Force Donald A. Quarles,
promising me that upon completion of service with the agency I
could return to the Air Force with no loss of time in grade or
toward retirement, my rank to correspond with that of my con-
temporaries. This had been a major factor in my accepting em-
ployment with the CIA. The same was true of the other pilots,
all of whom had signed the same document. A number of them
had already returned to the Air Force under those conditions.

The general knew this. But there had been too much publicity
about my case. Although they would let me reenlist at com-
parable rank—an old captain, or a new major—they would have
to renege on their promise regarding my CIA service counting
as time toward retirement.

I was being penalized for doing my duty, for having spent
twenty-one months in a Russian prison!

He was sorry, but that was the way things were.

I could have fought it, I suppose. However, as with my agency
contract and numerous other documents I had signed, the CIA
retained the only copy. To contest this, I would have to use other
pilots as witnesses. Some of them, I was quite sure, wouldn't
lie. But it would be damn rough on them. My attempt to obtain
what I had been "guaranteed in writing" might mean the Air
Force would penalize them, too.

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ABOUT THE SERIES	COMING UP	VISITOR SIGN-IN	PURCHASE A TAPE	IN THE CLASSROOM	WEB SITE ARCHIVES	FEEDBACK
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Spy in the Sky

Francis Gary Powers



Francis Gary Powers was born August 17, 1929, in Jenkins, Kentucky, in the Cumberland mountain region near the Virginia border. In 1951 he was accepted for aviation cadet training with the Air Force, got his wings a year later and was commissioned as a Second Lieutenant. His first duty assignment was as an F-84 Commando Jet Pilot with the 468th Strategic Fighter Squadron at Turner Air Force Base in Georgia.

In 1956, he was recruited from the Air Force by the CIA for work in the ultra-secret U-2 program. Telling his family he was conducting weather research, he moved to Turkey where he was stationed in a unit with six other U-2 pilots. Powers' ill-fated flight took off from Peshawar, Pakistan, on May 1, 1960. The flight was to cover nearly 3000 miles of Soviet territory. 1,400 miles into Russia, he was shot down over Sverdlovsk and captured. His capture exposed the American spy program and created an embarrassing international incident after the Eisenhower administration's attempt to deny Powers was on a spy mission. The "U-2 Affair" led to the cancellation by the Soviet Union of a summit meeting with the United States, Great Britain, and France.

On his thirty-first birthday, Powers was tried by the Soviet Union, and, convicted of espionage, was sentenced to 10 years in prison. In 1962, after serving two years, he was released in exchange for the Soviet spy Rudolf Abel--an effort initiated by Powers' father. Though he had fulfilled his mission orders and had not given the Soviets many of the details of the U-2 program he was privy to, Powers was not given a hero's welcome upon his return. Many saw him as a failure for having been caught. However, knowing the conditions under which Powers had operated and recognizing that he had served his country well, Lockheed's Kelly Johnson hired him as a test pilot. He flew the U-2 for Lockheed until early 1970.

In his account of his capture, *Operation Overflight* (1970), Powers described the two years he spent in a Russian prison, his fears that he would have to serve his full ten-year term and possibly never see his aging parents again, and of his deteriorating relationship with his wife. One year after his release he and his wife were divorced. He later married a woman he met through his work with the CIA, and together they raised two children. Powers died in 1977 in the crash of a helicopter that he flew for a Los Angeles television station. He was posthumously awarded the Distinguished Flying Cross by the Air Force in 1987.

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[SPY QUIZ](#) | [THE SPIES](#) | [CREDITS AND ACCESSIBILITY](#)

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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

8 SEP 1989

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPW
550 C Street West, Suite 14
Randolph AFB TX 78150-4716

SUBJECT: Application for Correction of Military Records (DD Form 149)
(Powers, Francis G. [redacted] (b)(6) B(6))

1. Requested Action: The applicant is requesting that his father receive credit for United States military service from 13 May 1956 to January 1970, that his father's service dates be adjusted, and that his father receive the Prisoner of War (POW) Medal for Soviet imprisonment from 1 May 1960 to 10 February 1962.
2. Basis for Request: The applicant's application includes his father's DD Form 214 (Report of Separation from the Armed Forces of the United States) which reflects he was discharged from the United States Air Force Reserves on 13 May 1956 as a First Lieutenant. However, his application also includes copies of documents awarding his father the Distinguished Flying Cross with an effective date of 1 May 1960; these documents are copies of the citation to accompany the award of the Distinguished Flying Cross, AF Form 2247, and Special Order GB-124, and those documents refer to his father as Captain. These documents are dated in November 1986.
3. Background: United States Code Annotated Title 38, Section 101 (32) defines the term "former prisoner of war" as "a person who, while serving in the active military, naval or air service, was forcibly detained or interned in line of duty (A) by an enemy government or its agents, or a hostile force, during a period of war; or (B) by a foreign government under circumstances which the Secretary finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war."
4. Facts: The Personnel Accountability Directorate verifies POW status for Air Force members and we are addressing that issue only. Standard procedure would have required applicable documents (specifically DD Form 1300) be prepared had the applicant's father been in the Air Force at the time of the incident. We have no documents reflecting that the applicant's father was ever in a missing/captured status while a member of the United States Air Force.

5. Recommendation: Refer this case to AFPC/DPPRA (Decorations Section) and AFPC/DPPAOR (Off/Amn Service Verification Section) to substantiate service tenure. If the decision is to grant the relief sought, the records should be corrected to show the applicant's father was a POW in the Soviet Union from 1 May 1960 to 10 February 1962 (reference Title 38, Section 101 (32)(B)).

(b)(6)

(b)(6) Colonel, USAF
Director, Personnel Accountability

B(6)

Attachment:
DD Form 149 w/App



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

28 SEP 1999

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRR
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records (DD Form 149) - Powers, Francis
G. (b)(6) B(6)

Requested Action: The applicant (b)(6) B(6) is requesting that his father receive military service credit for the period 13 May 1956 to 31 January 1970 and that his father's military rank also be adjusted based on this service credit. He also requests that his father receive the Prisoner of War (POW) Medal for Soviet imprisonment from 1 May 1960 to 10 February 1962.

Basis for Request: The application includes the father's DD Form 214, Report of Separation from the Armed Forces of the United States, which reflects he was discharged from the USAF Reserve on 13 May 1956 as a first lieutenant. However, the application also includes copies of documents awarding the father the Distinguished Flying Cross (DFC), effective 1 May 1960. These documents include copies of the Citation to Accompany the Award of the DFC; AF Form 2247, DFC; and Special Order GB-124, which all refer to his father as serving in the grade of captain, and are dated in November 1986.

Background: Air Force Instruction (AFI) 36-2604, *Service Dates and Dates of Rank*, Table 1, Rule 1 (Atch 1) defines total active Federal military service date (TAFMSD) as "all periods of active Federal military service in commissioned, warrant, flight officer, or enlisted status." AFI 36-3202, *Separation Document*, Attachment 1, Section C (Atch 2) defines active duty as "Full time duty in a military service of the United States..." and discharge as "Severance from all military status."

a. Member's DD Form 214 shows he served in the Reserve component of the Air Force in a commissioned status (second and first lieutenant) from 19 December 1952 through 13 May 1956 with 2 years, 2 months, and 14 days prior service. He tendered his resignation from the Air Force under the provisions of AFR 36-12, para 5b(3) and was discharged effective 13 May 1956. He received a DD Form 256AF, Honorable Discharge Certificate, and \$300 for mustering out pay.

b. After his discharge, he was employed by the Central Intelligence Agency (CIA) to fly U-2 aircraft. His U-2 was shot down on 1 May 1960 and he was captured and imprisoned by the Soviet Union until 10 February 1962. After his release, he remained with the CIA until October 1962 and was then employed by Lockheed until January 1970.

Facts:

Since Francis G. Powers was discharged from active duty on 13 May 1956, he had no military status after that date. Further, because he was discharged from military service, he was not subject to recall (i.e., he was not released to the USAF Reserves). The applicant presented copies of his father's DD Form 214 and a copy of the citation for the Prisoner of War (POW) Medal awarded to Colonels McKone and Freeman, who were held POWs in the same camp with his father. However, the applicant did not allege or present any documentation (Statement of Service, etc.) to show his father was credited with military service between 13 May 1956 to 31 January 1970.

Refer this case to HQ AFPC/DPPRA (Decorations Section) and ~~HQ AFPC/DPPPO~~ (Officer Promotions) for comment on the award of the ~~POW~~ POW medal.

Recommendation: Disapprove applicant's request for military service credit for his father for the period 13 May 1956 to 31 January 1970.

(b)(6)

(b)(6) Colonel, USAF

Chief, Retirements and Separations Division
Directorate of Personnel Program Management

B(6)

Attachments

1. AFI 36-2604, Table 1
2. AFI 36-3202, Atch 1

Table 1. Explanation of Service Dates.			
R U L E	A	B	C
	If service date to be computed is	and individual is	then this date includes
1	total active Federal military service date (TAFMSD)	an airman, officer, or warrant officer	all periods of active Federal military service in commissioned, warrant, flight officer, or enlisted status. When there is no break in AD from date of original entry on such duty, TAFMSD is the date of original entry on AD. When there is a break in AD, TAFMSD is later than the date of original entry on AD by a period equal to the break or breaks. Does not include AD while a student at Uniformed Services University of Health Sciences (USUHS) or Health Professions Scholarship Program (HPSP). Includes concurrent enlisted cadet status and solely cadet status at a service academy for airmen only.
2	total active Federal commissioned service date (TAFCSO)	an officer	all periods of AD Federal commissioned service. When there is no break in AD commissioned service from original date of entry on AD in such status, TAFCSO is the date of original entry on AD in commissioned status. When there is a break, TAFCSO is later than the date of original entry on AD in commissioned status by a period equal to the break or breaks. Does not include AD while a student at USUHS or HPSP.
3	total Federal commissioned service date (TFCSD)		all periods of Federally recognized commissioned service, whether active or nonactive duty. When there is no break in commissioned service from date of acceptance of original commission or from date of original Federal recognition, TFCSD is the date of acceptance of original commission or the date of Federal recognition, as appropriate. When there is a break, TFCSD is later than the date of acceptance of original commission or the date of original Federal recognition by a period equal to the break or breaks.
4	total years service date (TYSD)	a Reserve officer	all service as a commissioned officer of any uniformed service; all service before 15 June 1933 as a commissioned officer in the federally recognized National Guard (NG) or in a federally recognized commissioned status in the NG; all service in the NG after 14 June 1933 when such service was continuous from the date of federal recognition as an NG officer to the date of appointment in the NG; and all service

NCOIC	Noncommissioned Officer In Charge
NPRC	National Personnel Records Center
OPR	Office of Primary Responsibility
PAFSC	Primary Air Force Specialty Code
PDS	Personnel Data System
RIP	Report of Individual Personnel
SDC	Standard Data Change
SDN	Separation Designation Number
SGLI	Service Members Group Life Insurance
SPD	Separation Program Designator
SSB	Special Separation Benefit
SSN	Social Security Number
TAMP	Transition Assistance Management Program
TDRL	Temporary Disability Retirement List
TDY	Temporary Duty
UCMJ	Uniform Code of Military Justice
UPRG	Unit Personnel Records Group
USAFR	United States Air Force Reserve
U.S.C.	United States Code
VEAP	Veterans' Educational Assistance Program
VSI	Voluntary Separation Incentive

Section C--Terms

See AFM 11-1, *Air Force Glossary of Standardized Terms*, for other terms used in this field.

Active Duty--Full time duty in a military service of the United States. A general term applied to all active military service, including full-time National Guard duty, without regard to duration or purpose.

Active Duty for Training--A tour of active duty that is used to train members of the Reserve Components. It provides trained units and qualified persons to fill the needs of the Armed Forces in time of war or national emergency and such other times as the national security requires. The member must return to nonactive status after the period of active duty for training (ADT). ADT includes annual training, special tour of ADT, school tours, and the initial duty for training performed by nonprior service enlistees.

Active Duty Guard and Reserve--All personnel of the National Guard and Reserve Forces serving on extended active duty (under 10 U.S.C. or full-time National Guard duty under 32 U.S.C.).

Airman--An enlisted person in the US Air Force in any component.

Characterization of Service--A determination of a member's military behavior and performance of duty during a specific period of service. Choices are honorable; under honorable conditions (general); under other than honorable conditions; bad conduct; dishonorable; and uncharacterized.

Continuous Active Military Service Date--Date from which a member has been in active military service without a break.

Discharge--Severance from all military status. **EXCEPTION:** For a member of the Air National Guard of the United States (ANGUS), discharge may be from the ANGUS only, with concurrent transfer to the US Air Force Reserve for the remainder of a military service obligation. It does not include dismissal as a result of trial by general court-martial or "dropped from the rolls" of the Air Force under 10 U.S.C. 1161(b) or 1163(b).

Extended Active Duty--A tour of active military service (usually for more than 90 days) performed by a member of the Air Reserve components. Strength accountability for persons on EAD changes from the Air Reserve components to the active force. Strength accountability does not change for statutory tour officers on EAD in accordance with 10 U.S.C. 175, 678, 265, 8496, 8021, 8019, and 8038.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

MEMORANDUM FOR AFBCMR

30 September 1999

FROM: HQ AFPC/DPPPR
550 C Street West Ste 12
Randolph AFB TX 78150-4714

SUBJECT: Application for Correction of Military Records (DD Form 149)
(Francis G. Powers, Deceased [redacted] B(6))

REQUESTED ACTION: Applicant (son of deceased) requests award of the Prisoner of War (POW) Medal to his father for the period 1 May 60-10 Feb 62.

BASIS FOR REQUEST: Applicant provided documentation showing his father received the Distinguished Flying Cross for his 1 May 60 flight in 1986; the orders and citation refer to him as a Captain.

FACTS:

a. Sufficient documentation exists showing applicant's father was a prisoner in Russia during the period 1 May 60-10 Feb 62.

b. Sufficient precedent has been set to award the POW Medal to civilians (Pueblo Incident, Korea; two pilots shot down on reconnaissance mission on 1 Jul 60).

DISCUSSION: We concur with the applicant that his father should be awarded the POW Medal.

RECOMMENDATION: We recommend approval of the applicant's request for award of the POW Medal to his father for the period 1 May 60-10 Feb 62.

[redacted] (b)(6)
[redacted] (b)(6)
[redacted], Lt Col, USAF
Chief, Recognition Programs Branch
Promotion, Eval, & Recognition Division

B(6)

cc: SAF/MIBR



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

22 November 1999

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/JA (Colonel Clark)
550 C Street West Suite 44
Randolph AFB TX 78150-4746

SUBJECT: Application for Correction of Military Records – Powers, Francis Gary,
[SSN (b)(6)] B(6)

REQUESTED CORRECTION: The applicant, petitioning as next-of-kin on behalf of his deceased father, Francis Gary Powers (hereafter referred to simply as "FGP"), is asking the AFBCMR to grant two separate acts of relief. First, he asks that his father's service with the CIA and then with Lockheed Corporation (13 May 1956 - January 1970) be characterized as military service with appropriate rank adjustments to reflect that additional military service. Second, he asks the AFBCMR to posthumously award his father the Prisoner of War Medal for his imprisonment in the Soviet Union from 1 May 1960 until 10 February 1962.

BASIS FOR THE REQUESTED CORRECTION: As for the first requested correction, FGP claims that at the time he was recruited by the CIA to fly U-2s he was told that "...should I wish to return to [the Air Force] following completion of my contract, arrangements would be made so I could do so, with no loss of time in grade or toward retirement. In short, I could reenter at the same rank as my contemporaries, my time in the CIA being counted service time."¹ FGP further goes on to relate that "...[t]here was only one copy of the contract, which the agency kept. ...I was [not] given a copy of any of the several other documents I signed. One, already cosigned by the Secretary of the Air Force, Donald A. Quarles, promised that upon completion of my contract I would be permitted to return to the Air Force at a rank corresponding to that of my contemporaries and with no time lost toward retirement."²

As for the second requested correction, the applicant contends that two other military pilots have already been awarded the Prisoner of War Medal for time they spent imprisoned at Lubyanka Prison at the same time FGP was imprisoned there and, as such, FGP should be eligible for the POW Medal under the same criteria.

¹ While not attached to the original application for relief, we note that the applicant's father authored a book chronicling his experiences surrounding the U-2 shootdown and his subsequent imprisonment. First-person references included in this advisory are quoted from the book, *Operation Overflight*, written by FRANCIS GARY POWERS with CURT GENTRY (Holt, Rinehart and Winston, 1970).

² *id.*, at pg 26.

BACKGROUND FACTS: To better understand the issue of FGP's military status, it is necessary first to review the historical events leading up to the day FGP and the U-2 he was piloting were shot from the sky over the Soviet Union.³

The U-2 Surveillance Program officially began in December 1954. At the initial interagency meetings, the participants failed to work out a clear delineation of responsibilities between the CIA and the Air Force. They agreed only that the Air Force would supply the engines and the Agency would pay for the airframes and cameras. With a myriad of details still unsettled, CIA and Air Force representatives began to work on an interagency agreement that would assign specific responsibilities for the program. These negotiations proved difficult. Discussions on this subject between DCI Allen Dulles and Air Force Chief of Staff Nathan Twining began in March 1955. Twining wanted SAC, headed by Gen Curtis E. LeMay, to run the project once the planes and pilots were ready to fly, but Dulles opposed such an arrangement. The CIA-USAF talks dragged on for several months, with Twining determined that SAC should have full control once the aircraft was deployed. Eventually, President Eisenhower settled the dispute "I want this whole thing to be a civilian operation," the President wrote "if uniformed personnel of the armed services of the United States fly over Russia, it is an act of war—legally—and I don't want any part of it."

With the issue of control over the program settled, the two agencies soon worked out the remaining details. On 3 August 1955, Dulles and Twining met at SAC headquarters in Omaha to sign the basic agreement, titled "Organization and Delineation of Responsibilities—Project OILSTONE" (OILSTONE was the Air Force codename for the project). This pact gave the Air Force responsibility for pilot selection and training, weather information, mission plotting, and operational support. The Agency was responsible for cameras, security, contracting, film processing, and arrangements for foreign bases, and it also had a voice in the selection of pilots. All aeronautical aspects of the project—the construction and testing of the aircraft—remained the exclusive province of Lockheed.

It soon became clear that there would not be enough trained foreign pilots available in time for deployment, so the search for domestic U-2 pilots began. Lt Gen Emmett (Rosy) O'Donnell, the Air Force's Deputy Chief of Staff for Personnel, authorized the use of Air Force pilots and provided considerable assistance in the search for pilots who met the high standards established by the Agency and the Air Force. The search included only SAC pilots who held reserve commissions. The use of regular Air Force pilots was not considered because of the complexities involved in having them resign from the Air Force, a procedure that was necessary in order to hire them as civilians for the AQUATONE project (CIA codename for the overhead reconnaissance project).

SAC pilots interested in the U-2 project had to be willing to resign from the Air Force and assume civilian status—a process known as "sheep-dipping"⁴—in order to conduct the

³ This history is taken, for the most part, from the recently declassified CIA document titled *The CIA and the U2 Program*, GREGORY W. PEDLOW and DONALD E. WELZENBACH, (History Staff Center for the Study of Intelligence-Central Intelligence Agency, 1998).

⁴ The term "sheep-dipped" appears in *The New York Times* version of the Pentagon Papers without clarification. It is an intricate Army-devised process by which a military member who is in the service as a full career soldier or

overflights. Although Air Force pilots were attracted by the challenge of flying U-2s over hostile territory, they were reluctant to leave the service and give up their seniority. To overcome pilots' reluctance, the Agency offered handsome salaries, and the Air Force promised each pilot that, upon satisfactory conclusion of his employment with the Agency, he could return to his unit. In the meantime, he would be considered for promotion along with his contemporaries who had continued their Air Force careers.⁵

In 1956, FGP was one of those military pilots recruited by the CIA. According to both his written account and the declassified CIA account, FGP signed a "sheep-dip" agreement. According to Air Force personnel records and his own account, he resigned from the Air Force and became a civilian on 13 May 1956. After undergoing advanced flight training in U-2s, FGP transferred to a U-2 unit at Incirlik AFB in Adana, Turkey. This unit was commanded by a military officer but had a large number of civilians assigned. On 1 May 1960, while on a covert overflight of the USSR in a U-2, FGP was shot down by a Soviet SAM. He safely parachuted from the aircraft but was captured, detained, and ultimately confined by the KGB in Lubyanka prison. He remained in confinement there until his criminal trial in August 1960. Following his conviction, he was moved to Vladimir Prison to begin serving his sentence. On 10 February 1962, FGP was released from prison as part of a prisoner exchange and returned to the United States. Following his return, FGP resigned from the CIA in October 1962. The Air Force agreed to place him back on active duty, but FGP went to work instead for Lockheed Corporation as a test pilot.⁶

DISCUSSION: This application was filed on 31 August 1999. Since the applicant failed to bring this action before the BCMR within the three-year time limit established by 10 U.S.C. 1552(b), his claim is time barred unless the Board excuses his failure and considers the matter "in the interests of justice." The events giving rise to this application for relief occurred almost 40 years ago. FGP was obliged to apply to the AFBCMR no later than 1 July 1965 (three years from the day the Air Force agreed to reinstate FGP to active duty⁷) or demonstrate that a failure to do so should be excused in the interest of justice (*Ortiz v. Secretary of Defense*, 842 F. Supp 7, 10, (DC Circuit 1993)). AFI 36-2603, para 3.5, makes clear that applicants must exercise due diligence in pursuing claims and, if an application is filed late, "applicants should explain why it would be in the interest of justice for the Board to waive the time limits." AFI 36-2603, para 3.5.2. In this case, the applicant is relying on very important and significant **corroborating** evidence recently declassified by the CIA. The information the applicant is now

officer agrees to go through all the legal and official motions of resigning from the service. Then, rather than actually being released, their records are pulled from the Army personnel files and transferred to a special Army intelligence file. Substitute but nonetheless real-appearing records are then processed, and the member "leaves" the service. They are encouraged to write to friends and give a cover reason explaining why they got out. They go to their bank and charge card services and change their status to civilian, and do the hundreds of other official and personal things that any person would do if they really had gotten out of the service. Meanwhile, their real Army records are kept in secrecy, but not forgotten. If their contemporaries get promoted, they get promoted. All of the things that can be done for their hidden records to keep even with their peers is done. Some very real problems arise in the event they get killed or captured as a prisoner. There are problems with insurance and with benefits their dependents would receive if they remained in the service. At this point, sheep-dipping gets really complicated, and each case is handled quite separately.

⁵ *The CIA and the U2 Program*, pg 74.

⁶ *Operation Overflight*, ppg 341-343.

⁷ *The CIA and the U2 Program*, pg 186.

relying on was not available until 1998. In our view, this is precisely the type of situation which warrants waiver of the three-year statute of limitations.

Having said that, we note the applicant has made two separate and distinct requests. The first request seeks to characterize his father's service from the time of his resignation from the Air Force in 1956 until January 1970 as "military" service (with associated promotions). He is also asking that his father be posthumously awarded the Prisoner of War Medal. This advisory opinion will be limited to a discussion of the merits of the applicant's first request only. We note that in the record before us is a legal opinion from SAF/GCM in which the issue of whether the Prisoner of War Medal can/should be awarded in this case is discussed at length. We concur with the analysis, opinions and conclusions stated in that legal opinion and adopt them by reference for all purposes as part of this advisory. We also believe that granting at least some of the requested relief regarding FGP's military status during his period of imprisonment in the USSR should be dispositive of the applicant's request for posthumous award of the Prisoner of War Medal.

While the events that give rise to this request for relief took place almost 40 years ago, this case is rich with strong, credible evidence to support part of the applicant's claim. The central issue to be decided by the AFBCMR is whether FGP was in a military or civilian status for the period of his captivity, and thereafter until 1970. The evidence in this record consists of a small sampling of military records from FGP's personnel file as well as a first-hand account from FGP of the relevant events. This case was widely reported and there are many accounts of the events from various sources, some more reliable than others. One important source of information is the recently declassified CIA historical review of the U-2 program, which details the same events FGP does in his book. This CIA review is important because it corroborates many of the claims made by the applicant. The facts, supported by evidence in the record, are that FGP served on active duty in the Air Force from 1950-1956, at which time he was discharged from the Air Force (as a first lieutenant) and became an employee of the CIA to fly U-2s. FGP believed he was a civilian employee of the United States Air Force (GS-12).⁸ He also believed his service with the CIA was considered military service. He remained a CIA employee at the time of his flight and captivity. Declassified CIA excerpts in the file indicate that these U-2 pilots maintained a secret second identity as Air Force officers. While flying U-2s for the CIA, FGP was stationed at Incirlik Air Base and reported to USAF military personnel.⁹ The declassified CIA report further indicates that ". . . the Air Force provided pilots for the U-2s", and that after his captivity, the Air Force agreed to reinstate FGP, but this reinstatement, for various reasons, did not come to fruition.

Several significant pieces of evidence suggest FGP was in a military status at the time of his capture. First, he received the Distinguished Flying Cross (DFC) in 1986 for his ill-fated flight, an award reserved solely for military members, and which refers to FGP by the rank of "Captain." The award substantiates that he was in a military status on at least the day of his flight. The second piece of evidence is FGP's discharge certificate from the Air Force in 1956, which lists his grade as a first lieutenant. That his subsequent DFC award recites that FGP was a captain suggests FGP remained in a military status which apparently allowed him to be promoted

⁸ *Operation Overflight*, pg. 38.

⁹ *id.*, pg 44.

after his discharge. Therefore, accepting the award of the DFC on its face, and as it would be logically inconsistent to award active service status for his flight, but not for the captivity resulting from that flight, and considering the fair inference which can be drawn from his apparent promotion from first lieutenant to captain *after* his discharge from the Air Force, we believe it was probable FGP was in a military status for the duration of his captivity. The facts are undisputed that after being released from prison and returned to the United States, FGP resigned his position at the CIA. Likewise it is undisputed that the Air Force offered him the opportunity to return to active duty. Unsubstantiated, however, except for the claims in his book, is the allegation that the Air Force reneged on the agreement and refused to give him service credit toward retirement for his time served at the CIA. Clearly everyone understood and believed that he was to be given such credit. While there certainly seems to be plenty of proof up to this point in his career, there is no evidence supporting the applicant's further claim that FGP continued in his military status even after going to work for Lockheed as a test pilot. The declassified CIA document is obtuse on the reason he did not return to active duty. The applicant does not give any reason why FGP did not return to active duty. FGP does discuss this subject in his book and claims he did not return to active duty because the Air Force reneged on the "sheep-dip" agreement with him by refusing to give him any credit for retirement for his time spent with the CIA.¹⁰ However, this claim is especially tenuous in light of the fact that the Air Force did not renege on its "sheep-dip" agreements with **any** of the other officers who returned to active duty. With nothing more to support the allegation of the petitioner that his father was, in reality, an Air Force officer during his employment at Lockheed, we cannot legally support any relief the applicant claims beyond March of 1963. On the other hand, there is substantial evidence to support his claim for military service credit from the date of his discharge in 1956 until March of 1963 when (for whatever reason) he decided not to return to the Air Force.¹¹

RECOMMENDATION: On the issue of FGP's military status, we believe there is substantial credible evidence in the record to support the applicant's request that the AFBCMR characterize his father's service with the CIA as "military" service. The evidence supports this claim for the period immediately following his resignation from the Air Force in 1956 until March 1963. However, we do not believe the applicant has sustained his burden of proof with regard to claims of military service from March 1963 until 1970. As to that period, we recommend the AFBCMR deny the applicant's request.

(b)(6)
(b)(6) Colonel, USAF B(6)
Staff Judge Advocate

Attachment
Case File

¹⁰ *id.*, ppg 341-343.

¹¹ Should the AFBCMR grant this portion of the applicant's request, the GAO will, no doubt, seek to offset any pay and allowances FGP would have earned for military service during this period. By law, FGP would be entitled to recover the difference between the active duty pay and allowances for the period between 1956 and 1963, less his net earnings from civilian employment during that period. See *Clackum v. United States*, 161 Ct. Cl. 34 (1963). Since FGP was being compensated at a much higher rate by the CIA, it is doubtful there would be any remaining monetary benefit to the claimant.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

MEMORANDUM FOR AFBCMR

8 Dec 99

FROM: HQ AFPC/DPPPO
550 C Street West Ste 12
Randolph AFB TX 78150-4714

SUBJECT: Application for Correction of Military Records – Francis Gary Powers

Requested Action. Applicant requests promotion to the grade of captain and eligibility to the grade of major.

Basis for Request. Applicant contends although separated from service, he should have been accredited with additional active duty time.

Discussion. This advisory will only address applicant's promotion eligibility if accredited with active duty time until May 63.

- a. Application is untimely.
- b. Applicant entered active duty on 19 Dec 52 and was discharged as a First Lieutenant on 13 May 56.
- c. Promotion to First Lieutenant required a minimum of 18 months on active duty in the grade of Second Lieutenant and approval by the Major Air Commander. We therefore have established the applicant's date of rank as a First Lieutenant as 19 Jun 54.
- d. Promotion to Captain required meeting a central selection board and eligible officers required 2-years time-in-grade. The first central captain selection board applicant would have been eligible for was the FY57 board. Selected officers from this board pinned on their new grade beginning 15 Feb 57. Our best estimate of applicant's date of rank to captain is 19 Jun 57.
- e. Promotion criteria to major changed during applicant's tenure. For consideration by FY59 (and earlier) boards, eligible officers required 4-years time-in-grade. Even assuming the earliest possible date of rank to captain as 15 Feb 57, applicant did not meet the time-in-grade requirements. Effective with the FY60 boards, time-in-grade requirements dropped to 2-years, BUT, officers required 13-years active federal commissioned service as of the PREVIOUS 31 Dec for in-the-zone consideration, and 4-years time-in-grade and 10-years commissioned service for below-the-zone consideration. As of 31 Dec 61 (for FY62 board), applicant had just 9 years commissioned service. In addition, an established date of separation

within 2-years of the board convening date also rendered officers ineligible for consideration. By all accounts, applicant would not have been eligible for consideration for promotion to major.

f. Finally, we researched for provisions to provide special promotion consideration for officers in POW/MIA status. Prior to 1967, no such provisions existed; officers competed with their contemporaries on a "best qualified" basis.

Recommendation. Although there are insufficient records to verify his eligibility status, we believe if applicant had been allowed to remain in an active duty status he would have competed and been promoted to captain with a date of rank of 19 Jun 57 but would have been ineligible to compete for promotion to major.

(b)(6)
(b)(6) Major, USAF
Chief, Officer Promotion Section
Directorate of Pers Prog Mgt

(b)(6)

cc:
SAF/MIBR



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

14 DEC 1999

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRR
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records (DD Form 149) - Powers, Francis
G. [redacted] B(6) B(6)

Requested Action: The applicant [redacted] is requesting that his father receive military service credit for the period 13 May 1956 to 31 January 1970 and that his father's military rank also be adjusted based on this service credit. He also requests that his father receive the Prisoner of War (POW) Medal for Soviet imprisonment from 1 May 1960 to 10 February 1962.

Basis for Request: The application includes the father's DD Form 214, Report of Separation from the Armed Forces of the United States, which reflects he was discharged from the USAF Reserve on 13 May 1956 as a first lieutenant. However, the application also includes copies of documents awarding the father the Distinguished Flying Cross (DFC), effective 1 May 1960. These documents include copies of the Citation to Accompany the Award of the DFC; AF Form 2247, DFC; and Special Order GB-124, refer to his father as serving in the grade of captain, and are dated in November 1986.

Background: Air Force Instruction (AFI) 36-2604, *Service Dates and Dates of Rank*, Table 1, Rule 1 (Atch 1) defines total active Federal military service date (TAFMSD) as "all periods of active Federal military service in commissioned, warrant, flight officer, or enlisted status." AFI 36-3202, *Separation Document*, Attachment 1, Section C (Atch 2) defines active duty as "Full time duty in a military service of the United States..." and discharge as "Severance from all military status."

a. Member's DD Form 214 shows he served in the Reserve component of the Air Force in a commissioned status (second and first lieutenant) from 19 December 1952 through 13 May 1956 with 2 years, 2 months, and 14 days prior service. He tendered his resignation from the Air Force under the provisions of AFR 36-12, para 5b(3) and was discharged effective 13 May 1956. He received a DD Form 256AF, Honorable Discharge Certificate, and \$300 for mustering out pay.

b. After his discharge, he was employed by the Central Intelligence Agency (CIA) to fly U-2 aircraft. His U-2 was shot down on 1 May 1960 and he was captured and imprisoned by the Soviet Union until 10 February 1962. After his release, he remained with the CIA until October 1962 and was then employed by Lockheed until January 1970.

Facts: The evidence provided indicates he received the DFC for extraordinary achievement while participating in aerial flight on 1 May 1960 in the grade of captain. To receive the DFC, a member must be on active duty; and, as he was discharged as a first lieutenant, he was promoted to captain.

Recommendation: Per HQ AFPC/JA's 22 November 1999 memorandum to AFBCMR, and the facts that a member must be on active duty to receive the DFC and a member of a service to be promoted, recommend member's period of service from 14 May 1956 to 1 March 1963 be credited as active service.

(b)(6)

(b)(6)

Lt Colonel, USAF
Chief, Retirements Branch
Directorate of Personnel Program Management

B(6)

Attachments

- 1. AFI 36-2604, Table 1
- 2. AFI 36-3202, Atch 1



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

23 Dec 99

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPPA
550 C Street West, Suite 8
Randolph AFB TX 78150-4710

SUBJECT: AFI 36-2603 Application--Francis Gary Powers [redacted] B(6)

We accept the advisories of HQ AFPC/DPPRR (dated 14 Dec 99 which replaces their 28 Sep 99 advisory), HQ AFPC/DPPPO (dated 8 Dec 99), HQ AFPC/JA (dated 22 Nov 99), HQ AFPC/DPPPR (dated 30 Sep 99), and HQ AFPC/DPW (dated 8 Sep 99) as the AF position. Based on these advisories, we recommend the AFBCMR credit the applicant's father's record with active service from 14 May 1956 to 1 March 1963 and he be awarded the POW medal.

[redacted] B(6)
[redacted] Lt Col, USAF
Chief, Appeals and SSB Branch
Directorate of Personnel Program Mgt

cc:
SAF/MIBR



DEPARTMENT OF THE AIR FORCE
REVIEW BOARDS OFFICE
RANDOLPH AIR FORCE BASE TEXAS

OFFICE OF THE ASSISTANT SECRETARY

B DEC 1999

RE: Case and AFBCMR docket number:

SAF/MIBR
550 C Street West Ste 40
Randolph AFB TX 78150-4742

POWERS (DECEASED) FRANCIS G
(b)(6) **B(6)** N/A
9902282 BCMR CASE01

(b)(6) **B(6)**

Your case has been forwarded to the Air Force Board for Correction of Military Records (AFBCMR). The attached advisory opinion(s) prepared by the office(s) of primary responsibility are forwarded for your review and comment, if desired.

THIS IS NOT THE DECISION ON YOUR APPLICATION

You have 30 days from the date of this letter to comment on the advisory opinion(s) or provide additional evidence in support of your request to the AFBCMR. If you need more time to comment, you must ask that your case be temporarily withdrawn until such time as you are able to proceed. If you have nothing further to add, a response is not necessary. **ALL FURTHER CORRESPONDENCE SHOULD BE SENT TO:**

**AFBCMR
1535 COMMAND DRIVE, EE WING, 3RD FLOOR
ANDREWS AFB MD 20762-7002**

We cannot predict when your case will be decided, but assure you that it will be processed in its turn as rapidly as possible and will receive fair and objective consideration. The AFBCMR staff will not provide further status, so the next correspondence you receive will normally be the decision on your case.

Please address all correspondence to the AFBCMR at Andrews AFB MD at the above address. Include your social security/service number and your AFBCMR docket number on all correspondence.

For further information of a general nature, visit our web site at www.afpc.randolph.af.mil/safmibr.

Sincerely

(b)(6) **B(6)**

Asst Chief, Review Boards Office
Air Force Review Boards Agency

Attachments:
Advisory Opinion(s)

FL-1
Revised 13 Aug 99

SCANNED

Review of Recommendation for Prisoner-of-War Medal to Francis Gary Powers

I recommend we support this posthumous award of the Prisoner-of-War Medal to Francis Gary Powers.

There are two criteria for the award of this medal to a civilian according to DoD 1348.33M (see Tab 7). First, the civilian must have received credit for U.S. military service for a period which includes the entire period of captivity (Chap 6, B1b(1)). This service is to be determined by the DoD Civilian and/or Military Service Review Board and Advisory Board under DoD Directive 1000.20. Second, the medal shall be issued "only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the Secretary concerned finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict." Armed conflicts are defined as "World War I, World War II, Korean Conflict, Vietnam Era and Southwest Asia Conflict." (Chap 6, B1b(3)).

For award of this medal to an individual "serving in any capacity with the armed forces", 10 U.S.C. 1128 applies. The Secretary, under this provision, may award the medal to such an individual who was taken prisoner and held captive in any one of four situations. The first three pertain to actions against an enemy or opposing armed force. The fourth, described in the identical language used in DoD 1348.33M (with the exception that "armed conflict" is not defined), is the "comparable circumstances" situation. Although this statute would appear to clearly apply to civilians serving with the armed forces, DoD 1348.33M severely restricts its application to civilians by tying it to the limitations of DoDD 1000.20 (more on this later).

The first question is whether Powers was in a military or civilian status for the period of his captivity. Francis Powers served on active duty in the Air Force from 1950-1956, at which time he was discharged from the Air Force (as a first lieutenant) and became an employee of the CIA to fly U-2s. He remained a CIA employee at the time of his flight and captivity, but declassified CIA excerpts in the file indicate that these U-2 pilots maintained a virtual second identity as Air Force officers. According to his son's letter (Tab 3), while flying U-2s for the CIA, Powers was stationed at Incirlik Air Base and reported to USAF military personnel. A CIA report (Tabs 3 & 4) indicates "the Air Force provided pilots for the U-2s", and that after his captivity, the Air Force agreed to reinstate Powers, but this reinstatement, for various reasons, did not come to fruition (Powers' son states it was a common practice for U-2 pilots to return to the Air Force, at a rank comparable with their peers, after completing their stints with the CIA). Two hard pieces of evidence suggest Powers was in a military status at the time of his capture. First, he received the Distinguished Flying Cross (DFC) in 1986 for his ill-fated flight, an award reserved solely for military members, and which refers to Powers by the rank of "captain" (Tabs 2, 8, and 9). The award substantiates that he was in a military status on at least the day of his flight, but the package which accompanied that award cannot be located, so we cannot determine the reasoning the Air Force used to place him in that status. I have some concern, given the timing of the award (in time for the 1987 U-2/SR71 organization reunion, see Tab 2, and so long after the event)

that award criteria were liberally interpreted, but there is no evidence to support this suspicion. The second piece of evidence is Power's discharge certificate from the Air Force in 1956 (Tab 10), which lists his grade as a first lieutenant. That his subsequent DFC award cites him as a captain, suggests Powers remained in a military status which apparently allowed him to be promoted after his discharge. Therefore, accepting the award of the DFC on its face, and as it would be logically inconsistent to award active service status for his flight, but not for the captivity resulting from that flight, and considering the fair inference which can be drawn from his apparent promotion from first lieutenant to captain *after* his discharge from the Air Force, I believe we can reasonably take the position that Powers was in a military status for the duration of his captivity.

If we do not accept that Powers was in a military status at the time of his captivity, but was, in fact, a civilian, then I don't see how Powers can be awarded the medal under the criteria of DoD 1348.33M. That manual requires his service credit be determined by the "DoD Civilian and/or Military Service Review Board and Advisory Board under DoD Directive 1000.20." Powers applied to that Board, which referred Powers to DoDD 1000.20 (Tab 7). Under DoDD 1000.20, titled "Active Duty Service Determinations for Civilian or Contractual Groups", it is clear that Powers would not qualify for service credit, because, for one reason, his service was not rendered "during a period of armed conflict" (para. 4.1.3). "Armed conflict" is defined in para. E2.1.1 as "[a] prolonged period of sustained combat involving members of the U.S. Armed Forces against a foreign belligerent." The examples which follow the definition would clearly exclude the Cold War period. Although I believe DoD 1348.33M is an unduly restrictive application of 10 U.S.C. 1128, particularly in today's combat environment, we are stuck with its language.

The second requirement for award of the medal is that the circumstances of the individual's captivity be "comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict." The conclusion in the staff summary sheet that McKone's, Olmstead's, and Powers' confinement fall outside this definition, is, in my view, founded on an overly narrow reading of this statutory and regulatory language. The phrase that the Secretary must find the circumstances of captivity to be comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict does not mean that the event must *occur* during an armed conflict such as World Wars I & II, the Korean Conflict, etc. It means that the *circumstances* must be *comparable*. For example, a civilian tourist who carelessly wanders across the border of a country hostile to the U.S. and is seized by military border guards and imprisoned for a year would not fall under this definition, as such is not a typical circumstance of an armed conflict. One distinction is that the tourist had no U.S. government purpose in wandering into the country and had no designs to conduct activities contrary to the security interests of the state. Similar reasoning would apply to an American who lost his way and piloted his private aircraft into the airspace of a hostile country where he is forced down. But where a professional pilot flies a hi-tech reconnaissance aircraft, at the direction of the U.S. government, into the airspace of a hostile country for the purpose of collecting intelligence contrary to the security interests of that country, and is subsequently shot down, captured, and imprisoned by enemy forces, his circumstances are identical to those of a

reconnaissance pilot in wartime, and he, in my opinion, would fall under the statutory definition.

Based on the military status evidenced by the award of the DFC and his apparent promotion after discharge, and the circumstances of his capture, I recommend Powers be considered to have been in a military status for the period of his captivity, and eligible, under the Secretary's authority in 10 U.S.C. 1128, for award of the Prisoner-of-War medal. This award would be entirely consistent with the earlier awards to McKone and Olmstead (who were likewise in a military status at the time of their captivity), and fully compliant with the statutory requirements of 10 U.S.C. 1128.

(b)(6)

B(6)

SAF/GCM



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

JAN - 5 2000

AFBCMR
1535 Command Dr, EE Wing, 3rd Flr
Andrews AFB, MD 20331-7002

(b)(6) B(6)
Dear Mr. (b)(6) B(6)

The attached advisory opinion(s) are provided for your review and comment. THIS IS NOT THE DECISION OF THE AFBCMR ON YOUR APPLICATION (AFBCMR Docket No. 99-02282).

You have 30 days from the date of this letter to respond and/or submit additional matters in support of your request. If you need more time to comment, you must ask that your case be temporarily withdrawn until such time as you are able to proceed. If no response is received during this period, we will assume you do not wish to provide further comments and your case will be scheduled for consideration by the AFBCMR. Your comments and/or submission of additional documentation should be addressed to:

Executive Director
AFBCMR
1535 Command Dr, EE Wing, 3rd Flr
Andrews AFB, MD 20331-7002

Because of a fluctuating workload and other variables, we cannot tell you when your case will be decided by the Correction Board. Your case will be processed in its turn as quickly as our personnel resources and other factors will permit.

Please include your late father's social security account number and/or service number, and the AFBCMR docket number on all correspondence. You should also advise this office in writing of any change of address.

(b)(6) B(6)
Deputy Executive Director
Air Force Board for Correction
of Military Records

Attachment(s):
Advisory Opinion(s)

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