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1. Attached for information are Regulations for Security and Dissemination of Communication Intelligence.

1 Incl
Regulations for Security and
Dissemination of Communication
Intelligence, No. 38 (AS-14 copy)

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Deputy Chief, Army Security Agency
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WAR DEPARTMENT
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REGULATIONS FOR SECURITY AND
DISSEMINATION OF COMMUNICATION
INTELLIGENCE

29 JULY 1946

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WAR DEPARTMENT
REGULATIONS FOR SECURITY AND DISSEMINATION
OF COMMUNICATION INTELLIGENCE

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Section I

GENERAL

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1. Authority, Scope, and Purpose.

- a. These regulations are issued by, and under the authority of, the Director of Intelligence, WDGS. They are an elaboration of AR 380-5, Safeguarding Military Information, with respect to Communication Intelligence.
- b. This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U.S.C., 31 and 32, as amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

2. Definition of Terms.

- a. *Communication Intelligence* is intelligence produced by the study of communications not originated by United States authorities. The terms Communication Intelligence and Signal Intelligence are synonymous. Communication Intelligence is divided into two categories:
 - (1) Special Intelligence.
 - (2) Traffic Intelligence.
- b. *Special Intelligence* is that Communication Intelligence which results from the decryption of the text or substance of encrypted communications. Communication Intelligence obtained from plain language messages may, on occasion, be classed as Special Intelligence.
- c. *Traffic Intelligence* is that Communication Intelligence which results from analysis of communication networks, procedure signals, call signs, D/F bearings and other technical aids, i.e. intelligence obtained from intercepted communications by all means short of the actual decoding or decyphering of the text or substance of these communications. Communication Intelligence obtained from plain language messages is normally included in the Traffic Intelligence category. However, Communication Intelligence obtained from plain language messages or obtained by the process described above shall be classed as Special Intelligence if it clearly reflects the use of information derived from encrypted messages.

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- d. *Raw Traffic* is the name given to a plain text or encrypted radio message as it is intercepted, showing certain intercept data, but containing no indication of processing for Communication Intelligence.
- e. *Indoctrination* is instruction in regulations, doctrines, and principles concerning Communication Intelligence designed to imbue the recipient with a knowledge of the source and an appreciation of the necessity for security of this type of intelligence.

3. Principles of Security and Dissemination.

- a. The value of Communication Intelligence in war and in peace cannot be over-estimated. Preservation of this most important source of intelligence is vital and depends entirely on the effective concealment from other governments of both (a) the degree of our success in this field and (b) the particular sources with which we have been successful. To accomplish this concealment, it is essential that the dissemination accorded to Communication Intelligence, and to all related or resultant information, be strictly controlled and limited. The physical security of related documents is not alone sufficient; it is essential that all references to its existence either direct or indirect be avoided except among authorized recipients.
- b. The time limit for the safeguarding of Communication Intelligence never expires. Although from time to time reports of alleged Communication Intelligence activities may be broadcast or published, it is of the utmost importance that complete and absolute silence on such matters be maintained by those who have ever been connected with Communication Intelligence activities, and by all individual recipients of Communication Intelligence, whether past or present, unless they are freed from this obligation by an unmistakable and categorical order.

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4. Interpretation.

All questions with respect to the interpretation or application of these regulations will be directed, through the most secure channels, to the Director of Intelligence, WDGS, or his authorized representative.

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Section II

SECURITY

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5. Code Words.

- a. CREAM is the code word used to designate Special Intelligence.
- b. SPECIAL CREAM is the code word for an extremely restricted type of Special Intelligence of limited distribution within the list of authorized CREAM recipients.
- c. IVORY is the code word used to designate Traffic Intelligence.
- d. The applicable code word, in addition to the classification, shall appear on every sheet of paper which contains or discloses Communication Intelligence. This rule applies to maps and charts on which are plotted data and information derived from such sources. The code word shall be included in the text of every encrypted message conveying such intelligence and shall appear in plain language at the head of the decrypted version, except when such information is appropriately disguised for dissemination to an official who is not an authorized recipient as contemplated in paragraph 11g of these regulations.
- e. The code word need not be used in connection with the exchange, use, or dissemination of technical matter sent by a center engaged in producing Communication Intelligence over cryptographic channels or cyphers expressly and exclusively provided for such technical matter. A center engaged in the production of Communication Intelligence may, at the discretion of the senior officer concerned, omit the classification and code word from its worksheets and similar documents used in technical operations within the center or between it and its intercept and D/F stations.

6. Classification.

- a. Special Intelligence, technical matter pertaining to its production, and the code words CREAM and SPECIAL CREAM are classified TOP SECRET. This classification as well as the code word shall appear on every sheet of paper which contains or discloses the existence of this class of intelligence. This rule applies to maps and charts on which are plotted data and information derived from Special Intelligence.
- b. Traffic Intelligence, technical matter pertaining to its production, and the code word IVORY are classified SECRET. This classification as well as the code word IVORY shall appear on every sheet of paper which contains or discloses the existence of this class of intelligence. This rule applies to maps and charts on which are plotted data and information derived from Traffic Intelligence.

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- c. Raw Traffic showing no evidence of processing for Communication Intelligence purposes is classified CONFIDENTIAL.
- d. Communications which reveal actual success, progress or processes in the production of Communication Intelligence shall bear the appropriate code word designations even though they do not themselves reveal Communication Intelligence as such.
- e. The term Special Intelligence may be used in unclassified correspondence when not connected by inference, elaboration, or explanation with subjects which would disclose classified information.

7. Transmission.**a. Plain language transmission.**

- (1) Special Intelligence and TOP SECRET technical matter shall not be transmitted in plain language (unencrypted) except as follows:
 - (a) By officially designated courier, sealed, over routes approved by the Director of Intelligence, WDGS.
 - (b) By completely protected local communication systems exclusively internal to the centers producing and utilizing Special Intelligence.
- (2) Traffic Intelligence and SECRET or CONFIDENTIAL technical matters shall not be transmitted in plain language (unencrypted), except as follows:
 - (a) As provided in 7a (1) above.
 - (b) By protected postal channels over routes approved by the Director of Intelligence, WDGS.

b. Encrypted transmission.

- (1) Special Intelligence and TOP SECRET technical matters transmitted in encrypted form shall be in the cryptographic systems expressly provided for this purpose and in no other.
- (2) Traffic Intelligence and SECRET or CONFIDENTIAL technical matter transmitted in encrypted form shall be in the cryptographic systems expressly provided for this purpose or in the highest grade cryptographic system available.
- c. Raw Traffic will be transmitted in the special cryptographic systems expressly provided for this purpose, or in the intercepted form by officially designated courier over approved routes.

8. Control.

- a. The number of persons authorized to have access to Communication Intelligence must be restricted to the absolute minimum consistent with the effective accomplishment of assigned missions.
- b. All instruction in the handling and use of Communication Intelligence that may be authorized by the Director of Intelligence to be included in the curriculum of a Service School will be in accordance with these regulations.
- c. All persons handling Communication Intelligence shall be specially indoctrinated before being permitted access to this class of intelligence.
 - (1) Indoctrination will include the execution of an oath binding the signer to secrecy concerning Communication Intelligence.

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- (2) Responsibility for the indoctrination of appropriate personnel rests with the Director of Intelligence, WDGS, or with his representative in the Theater of Operation or on duty with a major command or agency.
 - (3) Prior to the indoctrination of persons who are to be entrusted with Communication Intelligence, an inquiry as to the loyalty, integrity, and discretion of such persons will be made through authorized channels to the Director of Intelligence, WDGS, who will conduct an investigation and report the results to the Commander originating the request. In cases where the urgency of the situation requires that an individual be indoctrinated before final report on the investigation is received, the Commander of a Theater of Operations, Major Command, or Agency may personally certify in writing that the individual's reliability justifies indoctrination.
 - (4) Individuals need not be indoctrinated in order to receive (a) D/F fixes and bearings classified CONFIDENTIAL; (b) Certain categories and series of plain language intercepts from commercial circuits classified CONFIDENTIAL; (c) Certain categories and series of plain language intercepts from military circuits classified SECRET, provided the source is disguised.
- d. If an officer relinquishes a post which has permitted him access to Communication Intelligence, he automatically relinquishes his right to see such material and will sign an undertaking to that effect.
- e. No person who is a current recipient of Special Intelligence or who is engaged in its production shall, without special authority, be committed to a hazardous undertaking which might subject him to capture or questioning on these matters either in time of peace or war.

9. Employment of Communication Intelligence.

- a. In time of war, the full value of Communication Intelligence cannot be realized unless operational use is made of it. However, when action is contemplated in the light of Communication Intelligence, the possibility of compromising the source shall always be borne in mind and this danger shall always be weighed against the military advantage to be gained. A minor advantage is not sufficient ground for risking the compromise of any Communication Intelligence source. When the decision is made to take action based on Communication Intelligence, studied effort shall be made to ensure that such action cannot be attributed to Communication Intelligence alone. In every case, unless the senior officer concerned, after full consideration of the risks involved to the source, considers it completely impracticable, action against a specific target revealed by Communication Intelligence shall be preceded by appropriate reconnaissance or other suitable deceptive measures to which the enemy can reasonably be expected to attribute the action.
- b. In time of peace, the principle that the conservation of Communication Intelligence sources is a paramount consideration affecting any action taken in the light of Communication Intelligence shall be rigidly upheld.

10. Security of Regulations.

- a. These regulations shall be transmitted only over channels authorized for the transmission of CREAM and shall be made available only to persons authorized to receive CREAM.

Section III

DISSEMINATION

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11. Dissemination Procedures.

- a. *Dissemination Agencies.* Communication Intelligence will be disseminated only by agencies designated by the Director of Intelligence, WDGS.
- b. *Special Security Representatives.* The Director of Intelligence, WDGS, may attach to each theater having headquarters authorized to receive Communication Intelligence, an officer, with such assistants as may appear desirable, who will represent the War Department in all matters involving the security, transmission and exchange of Communication Intelligence and who will supervise all special security personnel within such theater. Such officers, who will be known as Special Security Representatives (S.S.R.), and their assistants, Special Security Officers (S.S.O.), will be attached to theater headquarters for administration only.
- c. *Special Security Officers.* Special Security personnel, to be known as Special Security Officers (S. S. O.), will be attached by the Director of Intelligence, WDGS, to each headquarters entitled to receive Communication Intelligence. Such personnel for purposes of administration will be subject to theater control. They will hold special cryptographic systems, or special settings of machine ciphers, for the transmission of Communication Intelligence and will have sole responsibility for (1) decrypting all Communication Intelligence messages received at the headquarters to which they are attached and safe delivery of the decrypted texts to authorized recipients and (2) encrypting all Communication Intelligence messages sent from such headquarters. They will also advise recipients at such headquarters regarding security in the handling of Communication Intelligence and the enforcement of these regulations.
- d. *Communication Personnel.* Where necessary to provide for the prompt transmission of Communication Intelligence messages, special communication personnel will be attached to disseminating centers and operational headquarters and will be responsible for maintaining direct radio communication between such centers and headquarters.
- e. *Physical Handling of Materials.*
 - (1) No CREAM material, and only such records as cannot give any clue to the nature of the source, may be kept at any operational headquarters below an Army Group or an headquarters of an Army Air Force, except by an S. S. O. provided with adequate means for emergency destruction. It is the duty of the S. S. O. to maintain an accurate record of all copies of messages delivered to any headquarters and, in the case of distribution to formations below Army Group or an headquarters of an Army Air Force, to retrieve and destroy them. The length of time commanders may retain CREAM messages depends on their proximity to the enemy, but destruction should normally take place as soon as the necessary action has been taken. It is the responsibility of the

senior S. S. O. attached to any headquarters to destroy all messages and documents containing CREAM and all special cryptographic material, should he consider that the situation warrants such action.

- (2) Special measures will be taken to insure that all CREAM material is at all times so handled and kept that no unauthorized person can obtain access to it. Recipients of CREAM at operational commands under no circumstances may carry on their persons, or dispatch outside their headquarters, CREAM messages which have been delivered to them. Ordinarily, CREAM may be received, discussed or worked upon only in a room which is reserved for that purpose alone and to which no person who is not authorized to receive CREAM has access. When it is impossible to set aside a room exclusively for this purpose, a room or other segregated place shall be provided which recipients may use periodically, or when required, for reading, discussing or otherwise using CREAM. When circumstances require that a commander or other recipient receive or discuss CREAM at any other place, every precaution shall be taken to insure that no unauthorized person shall see such material, that such discussion does not take place within the hearing of any unauthorized person, and that the CREAM material is retained only for the minimum period of time necessary for reading and discussing it.

f. Mixing of Communication Intelligence With Other Intelligence. Any summary, report, estimate, appreciation or other paper based upon or including information from CREAM sources automatically becomes subject to the same security regulations concerning dissemination, distribution, handling and use, as the CREAM material itself, unless

- (1) the information has also been received from other sources, or (2) the information relates to Order of Battle and (a) sufficient time has elapsed to make it reasonable for the enemy to assume that the information was obtained from other sources known by the enemy to be available to us, and (b) the Theater Commander has specifically authorized such information to be so included.

In any case, the source of such information shall not be disclosed. (In view of the above, it is evident that, in order to avoid subjecting information not from CREAM sources to the special security requirements for CREAM, such information should not be mixed with CREAM except when absolutely necessary.)

g. Dissemination in Disguised Form. In the event that information derived from Communication Intelligence must be supplied to officials other than approved recipients for necessary action, instructions will be issued to such persons in the form of operational orders, or other communications, so worded that, if captured, the source could not be identified as Communication Intelligence. Only essential specific items will be transmitted and names, times, positions, and other data identical with that from the original decrypted texts must be carefully disguised. If it is to be transmitted by a means exposed to interception, it shall be encrypted in the available cryptographic system of greatest security and most limited distribution. The code words CREAM, SPECIAL CREAM or IVORY shall not be used in connection with such communications.

h. Prohibition Against Use for Commercial Advantage. Communication Intelligence shall never under any circumstances or in any form be disseminated to any Command, Department, Agency, Organization, Office, or individual from which or from whom it might reasonably be expected to find its way, officially or unofficially, into the possession of any person or group who could use it for commercial competition or commercial gain or advantage.

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- a. *To Whom Disseminated.* The principle of dissemination is based on "the need to know". Each item of Communication Intelligence shall therefore be made known only to those individuals who require it in the performance of their duties and who have been appropriately indoctrinated in accordance with paragraph 8b. above.
- b. *Limitation as to Echelon.* The levels upon which CREAM may be disseminated, and the number of officers at any level authorized to receive it, are rigidly restricted, as follows:
- (1) CREAM will not be made available to staffs below the level of the headquarters of an Army or Army Air Force except that (a) CREAM may be passed in the form of operational orders to lower formations, as provided in paragraph 11g. above, and (b) in exceptional circumstances making it imperative, the Commander-in-Chief of the Theater may authorize CREAM to be passed to lower formations down to the level of divisions or equivalent Air Force formations if they are operating independently, but only in strict accordance with paragraph 7 above and only if the physical security of the receiving headquarters is assured.
 - (2) Within headquarters authorized to receive CREAM, it may be made available only to officers holding the following posts:
 - (a) Commander and his Deputy
Chief of Staff and his Deputy
Senior Intelligence Staff Officer
Senior Operations Staff Officer
Senior Planning Officer
Senior Signal Officer
Senior Signal Intelligence Officer } At Army Group, Army Air Force or higher level
 - (b) Additional intelligence and operations staff officers absolutely necessary for its handling and use, as specifically authorized in each instance pursuant to paragraph 12c. below, except that in the case of formations below the level of Army or equivalent Air Force formations, no recipients may be authorized in addition to Commander, Chief of Staff, and senior intelligence and operations staff officers.
 - (c) No officer will be entitled to receive CREAM solely by reason of his rank or the post which he holds.
 - (3) In time of war or national emergency, it may be found necessary to sub-divide both Special Intelligence and Traffic Intelligence into smaller categories in order to permit certain classes of Communication Intelligence (compromise of which would not endanger the more important sources) to be distributed to special agencies and lower echelons of military forces which, for security reasons, would not normally receive other Communication Intelligence.
- c. *Additional Recipients.* In the event that a Commander considers it essential that any officer in addition to those specifically enumerated in paragraph 12b(2)(a) above should be authorized to receive CREAM, he will request such authorization from the Director of Intelligence, WDGS, through the S.S.O., giving reasons for the request.
- d. *Communication Between Recipients.* Communication between recipients on matters which in any way concern Communication Intelligence, whether in the form of queries, comments, summaries or appreciations, will be transmitted only over the channels authorized in paragraph 7 above. If any recipient considers it essential

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that any Communication Intelligence should receive distribution in addition to that already given, he will not transmit it directly but will request the S.S.O. to arrange for the additional distribution.

- e. *Discussion With Non-recipients.* No authorized recipient of Communication Intelligence will under any circumstances show or read any Communication Intelligence material to, or discuss it with, any person of any service unless he is absolutely certain that such person is also authorized to receive such material.
- f. *Maintenance of Lists of Recipients.* The S.S.O. at each headquarters which receives Communication Intelligence, or, if no such officer has been designated, an authorized recipient designated by the Commander, will maintain on a current basis a list of all persons at such headquarters authorized to receive Communication Intelligence and will transmit over authorized channels to the Director of Intelligence, WDGS, the names and posts of all recipients and any changes therein.